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The Philippine Islands, 1493-1803

Emma Helen Blair, James
Alexander Robertson, Edward Gaylord Bourne

THE PHILIPPINE ISLANDS
1493-1898

The PHILIPPINE ISLANDS 1493-1898

12417

Explorations by Early Navigators, Descriptions of the Islands and their Peoples, their History and Records of the Catholic Missions, as related in contemporaneous Books and Manuscripts, showing the Political, Economic, Commercial and Religious Conditions of those Islands from their earliest relations with European Nations to the close of the Nineteenth Century

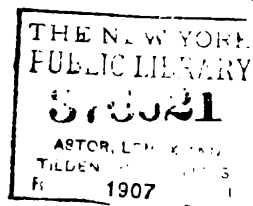
TRANSLATED FROM THE ORIGINALS

Edited and annotated by EMMA HELEN BLAIR and JAMES ALEXANDER ROBERTSON, with historical introduction and additional notes by EDWARD GAYLORD BOURNE. With maps, portraits and other illustrations

Volume XLV—1736 ✓



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PREFACE

The text proper of the present volume is entirely commercial. In the conclusion of the *Extracto historial*, is seen the continuance, between the merchants of Spain and the colonies, of the struggle for commercial supremacy. Demands and counter-demands emanate from the merchants of Cadiz and Manila respectively; and economic questions of great moment are treated bunglingly. The jealousy, envy, and distrust of the Cadiz merchants sees in the increasing prosperity of the Manila trade, especially that in Chinese silks, only their own ruin. The Manila merchants, on the other hand, who have the best of the controversy, quite properly object to an exchange of the silk trade for the exclusive right in the spice trade. The laws of supply and demand seem to be quite left out of consideration. The appendix is an attempt to show the influences and factors making for education in the Philippines during the Spanish régime, and the various educational institutions in the archipelago. In it one will see that, while apparently there has been great activity, results have been meager and superficial.

At the close of the preceding volume, we saw in the *Extracto historial* the "Manila plan" for regulating the commerce between the Philippines and

Nueva España, and its adoption (1726) by the Spanish government for a limited period. Three years later (July, 1729) Cadiz protests against this concession, complaining of the abuses practiced in the Manila-Acapulco trade, and of the injury done to Spanish commerce by the importation of Chinese silks into Nueva España. In consequence of this, an investigation is ordered in Acapulco and Mexico, from which it appears that the amount of Manila's commerce is rapidly increasing; the viceroy therefore advises the home government to restrict it, as being injurious to the commercial interests not only of the mother-country but of Nueva España, especially in the matter of Chinese silks. Meanwhile, he notifies Manila that the galleon of 1734 must be laden in accordance with the old scheme, the five years' term having expired. At this, Manila enters a vigorous protest, and demands that the permission of 1726 be continued to the islands. After much discussion pro and con, a royal decree is issued (April 8, 1734) to regulate that commerce; the viceroy's order is revoked, the amount of trade permitted to Manila is increased, but otherwise the decrees of 1702, 1712, and 1724 shall be in force (with some minor changes). In the following year, Cadiz again complains of the Manila-Acapulco trade, and proposes that Chinese silks be excluded from it—offering, by way of compensation, to surrender to Manila the exclusive right to the spice trade in the American colonies. The royal fiscal disapproves this, for various practical reasons, and recommends that the whole matter be discussed at a conference in Mexico, attended by delegates from Manila and Cadiz. The Manila deputies place before the Council another

long memorial (dated March 30, 1735), refuting the arguments and denying the charges made by Cadiz; the latter's offer of the spice trade in Nueva España is regarded as useless and in every way unsatisfactory. Cadiz answers these objections (June 1, 1735), and urges the court to cut off the trade of Manila in Chinese silks, adducing many arguments therefor. Again the fiscal refuses to endorse the policy of Cadiz; and the Council call (November 16, 1735) for a summary report of the entire controversy, with the documents concerned therein, preparatory to their final review and decision.

The educational appendix, which occupies most of this volume, opens with a petition from the Manila ecclesiastical cabildo, to the effect that no religious order be allowed to establish a university in Manila (as has been petitioned), as such a procedure would be prejudicial to the secular clergy, by reason of the fact that the religious would hold all the chairs in such institution. The petition also recommends that all ecclesiastical posts be given indiscriminately to members of all the orders until there are sufficient secular priests to hold them.

The second document, consisting of two parts, relates to the college of San José. The first part is the account by Colin in his *Labor evangelica*, and is a brief history of the institution from its foundation until 1663; the second is a compilation from various sources. The efforts of the Jesuits for a college are first realized through the Jesuit visitor, Diego Garcia, who is well assisted by Pedro Chirino. Luis Gomez, the first rector, secures the necessary civil and ecclesiastical permissions, in 1601. The college opens with thirteen fellowships, which are given to

the sons of influential citizens, a number soon increased to twenty. Rules and regulations are made for teachers and scholarships. As early as 1596, Esteban Rodriguez de Figueroa has left directions in his will, in case either of his minor daughters dies, for the endowment of a college under the care of the Jesuits. One of his daughters dying, the will becomes operative, and in consequence, the second establishment of the college takes place February 28, 1610, the act of foundation being given. The Jesuits have some trouble in getting the funds decreed by the will, but are finally successful. In 1647, the college obtains the favorable decision as to right of seniority in its contest with the Dominican institution of Santo Tomás. The second part of this document traces (mainly by reference to and citation from original documents), the history of the college of San José from its foundation to the present time, necessarily mentioning much touched upon by Colin. The royal decree of May 3, 1722, granting the title of "Royal" to the college is given entire. The various fellowships in the college are enumerated. The expulsion of the Jesuits in 1768 has a direct bearing on the college, which is at first confiscated by the government, but later restored to the archbishop who lays claim to it. The latter converts it into an ecclesiastical seminary, thus depriving its students of their rights; but the king disapproves of such action, and the college is restored to its former status and given into the charge of the cathedral officials. Its later management does not prove efficient, and the college finally falls under the supervision of the Dominican university. In the decade between 1860 and 1870, the plans of making a professional school of it are

discussed, and in 1875 faculties of medicine and pharmacy are established there. The Moret decrees of 1870 secularize the institution, but the attempt is successfully blocked by the religious orders. Since American occupation of the islands, the question of the status of the college has been discussed before the government, and the case is still unsettled.

The next document, consisting of three parts, treats of the Dominican college and university of Santo Tomás. The first part is the account as given by Santa Cruz, and treats especially of the erection of the college into a university. After unsuccessful efforts made by the Dominicans with Pope Urban VII in 1643 and 1644 to obtain the pontifical permission for this step, it is at length obtained from Pope Innocent X in 1645. In 1648, the Audiencia and the archbishop give their consent to the erection. Rules and regulations are made by the rector of the new university, Fray Martin Real de la Cruz, in imitation of those of the university of Mexico. The second part of this document is the royal decree of March 7, 1785, granting the title of "Royal" to the institution, on condition that it never petition aid from the royal treasury. The third part is an account of the university by Fray Evarista Fernandez Arias, O.P., which was read at the opening of the university in 1885. He traces briefly the history of the foundation and growth of the college and university. Pope Paul V grants authority to it to confer degrees to its graduates for ten years, a permission that is later prolonged. The brief of Innocent X erecting the college into a university in 1645 is later extended by Clement XII in 1734. The first regulations of the university are revised in 1785,

when the faculties of law and theology are extended (the departments of jurisprudence and canon law having been established early in the eighteenth century). These laws are the ones still in force in 1885 except in so far as they have been modified by later laws. It becomes necessary to abolish the school of medicine and the chairs of mathematics and drawing. In 1836, the chair of Spanish law is created. Between the years 1837 and 1867 the question of reorganization is discussed. In 1870, the university is secularized as the university of the Philippines by the Moret decree, but the decree is soon repealed. The college of San José is placed definitely under the control of the university, and becomes its medical and pharmaceutical department. In 1876, a notarial course is opened, and in 1880, courses in medicine, pharmacy, and midwifery are opened. Since this date the college has had complete courses in superior and secondary education.

The next document is one of unusual interest because it is the earliest attempt to form an exclusively royal and governmental educational institution in the Philippines – the royal college of San Felipe de Austria, founded by Governor Sebastián Hurtado de Corcuera. The first part of this document, which consists of two parts, is an extract from Diaz's *Historia*. Corcuera assigns the sum of 4,000 pesos annually from the royal treasury for the support of the twenty fellowships created, those preferences being designed for the best Spanish youth of Manila. The new institution is given into the charge of the Jesuits. The college is, however, suppressed at the close of Corcuera's government, as it is disapproved by the king, the decree of suppression being inexorably

executed by Fajardo. The Jesuits are compelled to repay the 12,000 pesos that have been paid them for the support of the college for the three years of its existence. A later royal college, called also San Felipe, is created by order of Felipe V. The second part of the present document is condensed from notes in Pastells's edition of *Labor evangélica*, and is a brief sketch of the founding, duration, and suppression of the institution founded by Corcuera. The latter founds it at the instance of the secular cabildo of Manila, and the charge of it is given to the Jesuits, although the Dominicans offer to dispense with the 4,000 pesos granted it from the royal treasury. Twenty fellowships and six places for Pampango servants are created by the act of foundation, December 23, 1640. The 4,000 pesos are met from Sangley licenses. An abstract of the rules of the new institution, thirty-three in all, is given. They cover the scholastic, moral, and religious life of the pupils. Corcuera's letter of August 8, 1641, reporting the foundation and asking certain favors, is answered by the royal decree of suppression, which is entrusted to the new governor, Fajardo. The 12,000 pesos, which the Jesuits are ordered to pay, is repaid them (if they have paid it) by a royal decree of March 17, 1647, and the incident of the short-lived college is closed.

The following document – the summary of a letter from the famous Archbishop Pardo – is the answer to a royal decree ordering the education of natives for the priesthood. He states the inefficiency of the natives for that pursuit, and the necessity of sending religious from Spain. It is followed by a royal decree of June 20, 1686, directing the strict observance

of the laws for native schools and the study of Spanish in the Spanish colonies.

The college-seminary of San Clemente, or San Felipe, as it was called later, forms the subject of the next document, which consists of two parts. The first is a royal decree of March 3, 1710, in which the king disapproves of the methods employed in the founding of the seminary which he had ordered Governor Zabalburu to found with 8 seminarists. Instead of following orders, the governor allows the archbishop and the "patriarch" Tournon to establish the institution, which is thrown open to foreigners, and has over eighty instead of eight seminarists. This disobedience occasions the removal and transfer of Archbishop Camacho, and the foreigners are ordered to be expelled, and only sixteen Spanish subjects are to be allowed in the seminary as boarders, in addition to the eight seminarists. The second part of the document is from the Recollect historian, Juan de la Concepción. Governor Cruzat y Gongora, in answer to a royal decree recommending the establishment of a seminary, declares such to be unnecessary. Its foundation is, however, ordered, and is finally consummated, but the conditions of the actual founding, which was entrusted to the governor, are altered by the neglect of the latter and the intrusion of Tournon and the archbishop who work in concert. The king, hearing of the turn affairs have taken, not through direct communication, but through the papal nuncio, orders the re-founding of the institution along the lines indicated by him, and the name is changed to San Felipe. The formal founding of the latter is left by the governor to Archbishop Francisco de la Cuesta, who draws

up new rules, but at the same time deprives the king of the private patronage, usurping it for himself, although it is a lay creation.

In the following document, the college of San Juan de Letran is discussed. It is founded in 1640 by Juan Geronimo Guerrero, for the purpose of aiding and teaching poor orphan boys. Many alms are given for the work by charitable persons, and Corcuera grants some in the king's name, and an encomienda in the Parián is given it. At the same time, a Dominican lay-brother undertakes the care of poor orphan boys in the porter's lodge of the Manila convent. As Guerrero ages, finding it impossible to look after his orphan boys, he entrusts them to the care of the Dominican lay-brother, who has by this time formed a congregation under the name of San Pedro y San Pablo. The consolidation is known for some time by the latter name, although the transfer is made under the name of the College of San Juan de Letran, which is later definitely adopted. Rules for the college are made by Sebastian de Oquendo, prior of the Manila convent, which are revised later by the provincial chapter. After being housed for some years in the lower part of the convent, the college is moved into a house opposite the same; but that house being destroyed by the earthquake of 1645, a wooden building is erected outside the walls near the Parián. In 1669, finding their quarters uncomfortable, as the students are compelled to go to the university for their studies, the college is again moved inside the walled city. Priestly, military, and other professions are recruited from this institution.

A royal decree of June 11, 1792 requires the permission of the royal representative, and of those in

authority at the institutions of learning, for all students, men and women, attending any such institution subject to the royal patronage and protection, before the contraction of marriage. Another decree of December 22, 1792, directs the governor to observe the previous decrees concerning the teaching of Spanish in schools for the natives. Nothing but Spanish is to be spoken in the convents.

Conciliar seminaries are treated in a document of two parts. The first part is a decree of March 26, 1803, in regard to the three per cent discount which is ordered to be made from the salary of all parish priests for the maintenance of conciliar seminaries. A decree of July 30, 1802 is enclosed therein, which orders such collection, notwithstanding the objections raised by the parish priests; and the payment must be made in money. Special provisions are made in regard to the seminary of Nueva Segovia. The second part consists of extracts from various sources. The first two of the extracts relate to the five Roman Catholic conciliar seminaries, and give their status since 1862. The third extract is the provision made by the Aglipay or independent church of the Philippines for seminaries for the education of priests, and the plan for the studies to be carried on therein.

The Nautical school of Manila is also treated in two parts, the first being a decree of May 9, 1839, approving the new regulations for the pilots' school of July 20, 1837; and the second extracts from various sources giving a brief history of this institution which is established first in 1820 by the Consulate of Commerce, and later taken under control of the government. This school is now maintained by the Americans.

The boys' soprano school is an interesting institution founded by Archbishop Rodríguez in 1742 for the purpose of furnishing boy singers to the cathedral. The education, which is chiefly musical, embraces training in both vocal and instrumental music, although on account of their tender age the boys are, as a general rule, debarred from using wind instruments. High merit is obtained by these boys.

Public instruction in the Philippines is discussed by Mas in the following document. He declares that the education of the Philippines is in a better state proportionally than it is in Spain. There are schools in each village, attendance at which is compulsory, except at seeding and harvest times. Expenses are met from the communal funds. Women also share in the education. The books commonly used are those of devotion. Besides communal and private schools there are also public institutions in Manila. Brief histories and descriptions are given of the following institutions: university of Santo Tomás; college of San José; college of San Juan de Letran; the charity school founded in 1817 by distinguished citizens; the nautical academy; the commercial school founded in 1840; seminary of Santa Potenciana, which was founded by a royal decree of 1589; Santa Isabel, founded by the confraternity of Misericordia, in 1632; beaterio of Santa Catalina de Sena, founded in 1696; beaterio de San Sebastian de Calumpang, founded in 1719; beaterio de San Ignacio, founded in 1699; beaterio de Santa Rosa, founded in 1750; and the beaterio de Pásig, or Santa Rita, founded in 1740.

This is followed by Mallat's account, which uses Mas largely as authority. Mallat praises the advanced state of education in the Philippines, and

dwells at considerable length on their culture in poesy and music, and their allied branches of art; and gives in general a recast of the conditions of the educational influences in the archipelago.

A superior order of December 2, 1847, legalizes in Spain degrees taken in the educational institutions of the colonies, and vice versa; and professions authorized in one country may be practiced in the other, on sufficient proof. A short document on the academy of painting, sculpture, and engraving, compiled from various sources, follows. This academy was founded in 1849 by the Sociedad Económica de Amigos del País, and reorganized in 1892. Another document, also compiled from various sources, treats of the Ateneo municipal, which is an outgrowth of the old Escuela pía, which was given into the control of the Jesuits upon their return to the Philippines in 1859. The latter school receives its present name in 1865. Its expenses are defrayed by the community of Manila.

A document taken from *Apuntes interesantes* asserts that the university has many enemies, not because the Dominicans are in control of it, but because they believe the study of law unadvisable therein. Such a view is anti-liberal. The writer believes that the Filipinos would give better results in medicine and surgery, and the advisability of a medical school could be sustained, but that medicine and even pharmacy which are both sorely needed in the islands could be established in the university. Foreign professors should be allowed to enter. Superstitions, abuses, and ignorance abound in regard to medicine and pharmacy among the natives. Drugs are allowed to be sold by peddlers, and adulterations

are frequent. Parish priests are called in to act as physicians but often only after the native doctor, who works mainly with charms, has been unable to combat the ailment of his patient. But for all his inefficiency, the natives prefer their mediquillo to the priest. Many reforms are needed. The naval school, the author declares, is poorly organized and directed. The graduates aspire only to fine berths and are not content to accept what is really within their powers. The school could profitably be re-organized into a school for training pilots exclusively for the coasting trade. Primary instruction, so far as the government is concerned, is in an incipient state. Spanish is taught only in Manila and some of the suburbs; but there are schools for boys in the native dialects, and some as well for girls. The government salaries are not sufficient and priests and officials find it necessary to determine means for buildings, etc., and salaries are even paid from the church funds. There is no suitable director for primary education, but in reading, writing, and religion, the children are more advanced than those of Spain. The government has tried to improve the instruction in the Spanish language, and has succeeded somewhat. The writer advises the government to introduce all the improvements possible, and to extend the normal school, which has but slight results at present. Teachers are needed, also.

Montero y Vidal in *Archipiélago filipino*, gives a recast of educational conditions in 1886. He shows that public instruction is somewhat widespread, but that it is lacking in efficiency. He gives some statistics, but they are inadequate, owing to the inefficiency of the public officials. The native lawyers

are poor and they sow discord against Spain. He strongly recommends industrial education.

The following document on girls' schools in Manila and the provinces contains much of interest. This account, taken from the Dominican report of 1887, describes and gives a list of the schools of Santa Isabel, Santa Rosa, Santa Catalina, and La Concordia, or school of the Immaculate Conception. In these schools primary and secondary education are given. An account is also given of the school of San José of Jaro which was opened first in Iloilo in 1872, but closed in 1877 for lack of funds, and was soon thereafter reestablished in Jaro through the intermediation of the bishop. The convent of San Ignacio, founded in 1669, is directed by the Jesuits, but after their expulsion is taken charge of by the provisor of the archbishop. It has had a school since 1883. Various other institutions where instruction is given to girls are mentioned.

The school of agriculture, both under Spanish and American dominion, is discussed in the next document. First established in 1889 by the Spanish government for theoretical and practical instruction, the school has not had great success. Various agricultural stations are established in various provinces by the government to supplement the work of the school. Since American occupation the work has been taken up, and appropriations made for the building of a school in the rich agricultural island of Negros.

The last document of this volume, a state discussion (1890) as to the reorganization of education in the university of Santo Tomás (signed among others by the famous Maura) suggests the arguments ad-

vanced by both the civil and ecclesiastical governments in the Philippines. The questions under discussion are: 1. Whether the ministry has a right to reorganize education in the university without considering the religious order of the Dominicans. 2. Whether the university may offer legal opposition, and by what means. The conclusions reached are: 1. The ministry cannot apply the funds and properties of the university of private origin to any institution that it organizes; and hence cannot reorganize education in the university. 2. Should the ministry do so, then the university may take legal means to oppose such determination, the best method being through the ordinary court of common law. This is a highly interesting document, in view of the vital legal educational questions touched upon, some of which may have application in the present San José college case. The educational appendix will be concluded in VOL. XLVI.

THE EDITORS

October, 1906.

EXTRACTO HISTORIAL

**Commerce of the Philippines with Nueva España,
1640-1736 (concluded). By Antonio Álvarez de
Abreu; Madrid, 1736.**

SOURCE: Concluded from VOL. XLIV, *q.v.*

TRANSLATION: See VOL. XLIV.

COMMERCE OF THE PHILIPPINES WITH NUEVA ESPANA (Concluded)

PERIOD IX

[Here] is set forth what occurred in regard to the commerce of Philipinas from the year 1730 until that of 1733, in consequence of the practice of the ordinance of the year 1726, with occasion of the complaint made by the merchants of Andalucia.

128-162. [In July, 1729, the consulate and merchants of Cadiz sent to the king a memorial protesting against the favor recently granted to Manila, which the latter was abusing to such an extent as to endanger the very existence of the Spanish commerce with Nueva España. So much Chinese silk had been sent by Manila to Acapulco that Cadiz had determined to send in this year's trading-fleet no Spanish fabrics; but this would result in the destruction of its commerce and of its manufactures. Cadiz claims that Manila carries away from Nueva España three to four millions of pesos annually, a sum which falls into the hands of foreigners and infidels; and asks that the permission given to Manila for the export of Chinese silks be revoked. The king thereupon ordered the viceroy of Mexico to set on foot a thorough investigation of the Manila commerce, its

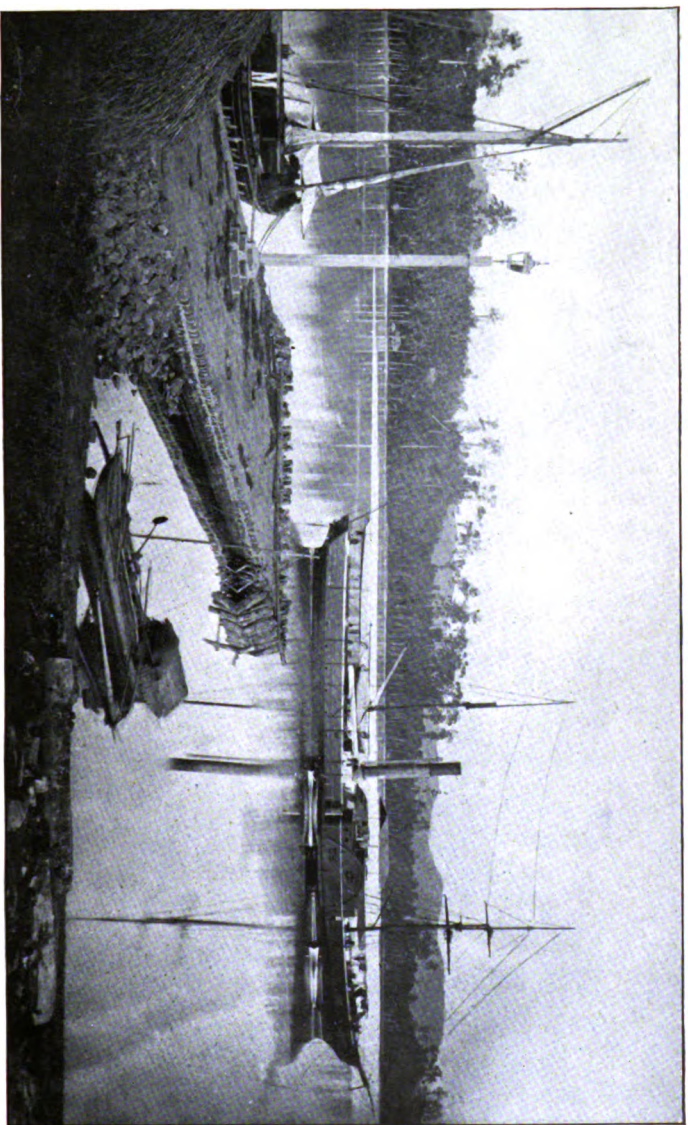
actual character and extent, its profits, and other particulars, which is done. The year 1731 was selected for this investigation; the sales at Acapulco were unusually profitable that year, as all kinds of fabrics were then scarce in Nueva España, and the Chinese goods were advanced 25 per cent over their usual prices. The officials found that the total sales from that year's cargo amounted to 2,096,874 pesos (making the average value of each pieza of lading more than 500 pesos); deducting from this the royal duties, 229,547 pesos (including the contribution of 20,000 pesos made by the shippers), the amount of returns for the citizens of Manila was 1,877,327 pesos. This amount would probably be equaled in subsequent voyages of the galleon (even if the sales at Acapulco were not so profitable), so long as the present permission continued; for the 500 half-chests of Chinese fabrics made an enormous amount, and of great value. The amount of silver embarked that year for Filipinas was as follows: "1,691,465 pesos, as proceeds of the merchandise sold at the fair that year [this being the previously-mentioned amount, with the royal duties deducted from it]; 566,828, in sums remaining from the previous year; and 175,828, on the account of his Majesty for the royal situado and other special situados of those islands, and for the pay of the crew of the galleon." Investigation being made of the past years of this commerce, "the castellan of Acapulco replied, that from the year 1692 until that of 1702 the Philipinos had been able to lade their ships with goods to the value of 250,000 pesos, the returns for which were 500,000 pesos, without assigning a definite number of piezas — in which time they paid for all kinds of

duties 75,000 pesos, which was equivalent to thirty per cent on the cargo and fifteen per cent on the returns. That in the year 1702 their permission had been increased to 300,000 pesos of capital [invested], and 600,000 of returns, with the obligation of paying for the shipment of the latter a charge of two per cent. This had been punctiliously observed until the year 1717, when other quantities [of merchandise] had been shipped outside of the permitted amount, for the causes and reasons which would appear from the acts drawn up on account of this proceeding; and for what was thus shipped outside the permission duties had been paid at four per cent (which amounted to 365,000 pesos), and adding to this the six per cent of *alcavala*,¹ the duties were ten per cent, which was collected. That this regulation had been in vogue up to the year 1720, in which the *Marqués de Valero* had allowed to the Philipinos the lump payment of 100,000 pesos which before had been refused them, including in this amount all the dues which they must pay [to the royal treasury], and permitting to them, as before, the shipment of the 600,000 pesos of returns; and that, although this amount only was what they ought to embark in vir-

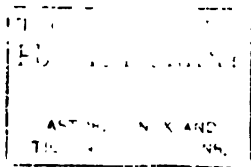
¹ "All the New World was subjected to the *alcavala*. This is a tax levied only upon whatever is sold at wholesale, and does not extend to the articles for daily consumption; it is derived originally from the Moors. The Spaniards adopted it in 1341, and established it at the rate of five per cent. It was finally placed at ten, and forced up even to fourteen per cent; but in 1750 arrangements were made which brought the rate back to what it was at first. Philip II, after the disastrous end of that fleet so well known under the pompous title of 'invincible,' in 1591 resolved, on account of his needs, to exact this aid from all his possessions in America. At the outset, it was only two per cent; in 1627, it rose to four." (Raynal, *Histoire . . . des établissements et du commerce des Européens*, ii, p. 310.)

tue of the permission, they carried other funds also (and not a few) – the reason being that many persons were resolving at that time to become citizens of the islands, and, as consequently their wealth must be conveyed thither, the papers had been given to them for doing so, in virtue of which they embarked their funds, paying on them ten per cent. That for the last ten years many sums of money had gone to Philipinas outside of the permitted amount, on various warrants, for which orders had been previously given, regarding which the bureau of accounts could supply information; but, as in this matter the officials acted independently of the castellan, he had been unable to take cognizance of those transactions.” The royal officials of Acapulco – who, with the castellan, were at that time in the City of Mexico – advised the viceroy not to make any change in the permission for the next annual galleon; and gave as their opinion that, comparing the shipments of merchandise, returns therefrom, and duties paid to the treasury, by Manila in the last forty years, *if in those islands there had not been an increase of their commerce, at least it had not declined.*² The officials regarded the present amount of trade granted to Manila as far in excess of what it had before (on which earlier amount the islands had been able to support themselves), and the great withdrawal of money from Nueva España as injurious to the commerce of both that country and España; and they advised that the permission be reduced to 2,750 piezas of Philippine products and ordinary fabrics, and 250 half-chests of Chinese fabrics. If this were

² The italics in this and a few other sentences are the same as in the printed text of the *Extracto*.



View of port of Tacloban, in the island of Leyte
[From photograph procured in Madrid]



done, Manila would still have a million pesos of returns, even after deducting all the duties and imposts, which would surely be enough, since before they had maintained themselves with 600,000 pesos annually. As it was, the royal revenue was much impaired, since the duties paid by Manila now did not include certain ad valorem duties imposed under the old arrangement. At the command of the viceroy, the bureau of accounts of Mexico furnished him a summary of all the remittances of money from Nueva España to Manila during the years 1723-31 inclusive; this report showed that in each year more than the amount of the permission had been conveyed – sometimes stated as arrearages from previous shipments, sometimes as allowed by special permit from the viceroy. The yearly situado was stated as being 250,000 pesos, the amount actually sent being such balance of this sum as remained to the credit of Manila in the treasury of Mexico, which varied yearly from 73,000 to 93,000 pesos. The galleon of 1731 had carried the following cargo: 2,767 bales, 477 chests (of Chinese silks), 554 bags of cinnamon, 147 cakes of wax, 51 cases of porcelain, 296½ arrobas of storax, 1,977½ arrobas of pepper; besides this, and outside of the permission, four half-bales and nineteen chests were sent by the religious orders in Manila – Dominicans, Franciscans, Augustinians, and Hospitallers of St. John of God – for the clothing of the religious in their hospices in the City of Mexico; and by the governor, Marqués de Torre-Campo, 45 piezas for (purchasing?) furniture.]

163-185. [The viceroy, Marqués de Casa-Fuerte, wrote to one of the royal Council, Don Joseph Patiño (November 1, 1731), giving his opinion in regard

to the regulation of the Philippine commerce. Estimating roughly the returns from the annual Manila galleon at 2,000,000 pesos when before the sum of 600,000 only was allowed, he regards the present permission as injurious to the commerce of España and to the commercial interests of Nueva España as well; for three vessels come from Philipinas to one trading-fleet from España, and, by carrying out of the country some six millions of pesos, they render the disposal of the merchandise brought on the fleets difficult, besides handing over the treasures of the Spanish domain to infidels. He advocates the reduction of the permission to such amount as will produce not more than 1,000,000 pesos of returns for Manila; and thinks that there is foundation for the remonstrances of the Spanish merchants, although they have exaggerated the amount of the money sent to Manila and the damage to their own trade therefrom. That damage arises almost entirely from the Chinese silks and ribbons sent to Acapulco, which at the fair in that year (1731) were sold for the estimated amount of a million pesos; he therefore recommends that Manila be strictly prohibited from shipping to Acapulco any silk, of any kind or quality whatsoever, except raw, twisted, and floss silk, hose, and white sayasayas; and that the value and amount of all the goods sent thither be judiciously regulated, so that prices may be kept within bounds. This result also depends considerably on the fact that in Mexico large quantities of cotton are raised, from which are made various fabrics; "and in the bishopric of La Puebla the elephant stuffs (which are a sort of Rouen cloth, but made from cotton, which serves for the shirts of very poor people, and for the linings of garments,

like the thin hollands), which form a considerable part of the cargo of the ship from Philipinas, are so well imitated that they would and do check a rise in the prices of the cotton goods from China. In this City [of Mexico] all the raw silk which comes from Philipinas (a sufficient amount, so that the fleets [from España] do not bring it) is worked up, and in this industry many poor persons are employed, thus obtaining a suitable means of livelihood; and the fabrics which are made by them are consumed in this kingdom only." With these restrictions and precautions, the viceroy would recommend that the regulations of 1726 continue. He would also remit the payment now made by the citizens of 20,000 pesos annually to the treasury; but this loss, and that in the customs duties from the lack of the Chinese silks, would be recompensed by the better sales which would thus be afforded to the Spanish silk goods. In January, 1732, the viceroy consulted his fiscal, who thought that the Manila trade should be restricted, say to a million pesos of investments, and prohibiting the Chinese silks; that this would benefit the Spanish traders, and would also secure the opening of Peru to trade with Nueva España. In the following month, the viceroy called together a junta of auditors and other experienced persons to discuss this subject; they favored Manila, and advised that no definite action be taken as yet. The viceroy, hearing that from Mexico and other cities more than 1,500,000 pesos in silver was being sent to Acapulco, presumably intended for Filipinas, felt the necessity of taking measures to prevent the despatch of too much merchandise from Manila in the future galleons, since the five years' term allowed to that city would expire

in 1733. He therefore referred to the junta the question whether he should write to Manila that the galleon of 1734 must come with a cargo in accordance with the former plan of 300,000 pesos' investment and 600,000 for returns; and whether he should enforce the decree of 1720 by prohibiting that galleon from carrying any Chinese silks. The junta decided both these questions in the affirmative, advising the viceroy to notify Manila accordingly – these regulations to be made, provided that the king meanwhile did not give new orders. The viceroy therefore sent despatches to Don Fernando Valdés Tamón, the governor of Filipinas, and to the city of Manila, to that effect (March 20 and 25, 1732);^a and on April 3

^a “This new despatch threw into consternation the commercial interests here.” The governor asked advice from the fiscal, who, as the order came not as a formal royal decree, thought that it might be regarded as only the viceroy's expression of opinion, and the governor might take such measures as he deemed best. The citizens were informed of the viceroy's requirement, and asked the governor to investigate the foreign trade then carried on at Canton – saying that they were informed that “toward the end of the preceding year, 1731, various large vessels – French, English, and those belonging to the companies of Olanda and Ostende – entered the port of Canton in China with more than three millions in wealth, in silver and other commodities; and the presumption was that those goods [which they bought] could have no other destination than the Americas, to be introduced there by way of the Northern Sea [i.e., Atlantic Ocean].” Such investigation was accordingly made by official authority, and thirteen witnesses were examined – Armenians, French, and Portuguese. These agreed in their testimony, as eyewitnesses, that “in the city of Canton, in the kingdom of China, the French had maintained a factory for the space of seven years, as also had the English during two years; but these had been suppressed in the preceding year of 31 by the governor of Canton, on account of a controversy which the French and English had with the Chinese traders. Nevertheless, many of their ships, and [others] from Europa, remained there; and accordingly the witnesses had seen in the preceding year two French ships, four English, three Dutch, and one from Denmark, all of great burden and capacity, which carried thither a great

following sent a report of all these proceedings to Don Joseph Patiño. He recommends that Manila be allowed only 3,000 piezas in all, of which only 100

amount of wealth in silver of Mexican and Peruvian coinage, and some small quantity in bullion. With this the foreigners bought silks – raw, in bundles, *quiña*, and others in colors, and woven fabrics – gold bullion, porcelain, and tea; and the witnesses were certain that they bought these commodities for the commerce with Perú and other parts of the Indias, as was evident from the money [that they used], and as the witnesses knew by having heard it from the foreigners themselves.” The citizens also represented to the governor their objections to the proposed restriction on their commerce; they declared that it was not the Acapulco trade which was injuring that of Spain in America, as Cadiz had claimed, but the importation of Chinese goods by the European countries – fifteen or more ships at a time, with more than four millions of pesos, buying these at Canton, “with no other object than to introduce these into the Americas by the agency of the Spaniards themselves.” “The truth was, that this complaint did not begin until the foreign ships found their way to Canton.” The Spanish merchants ought not to complain of the small quantity of Chinese silk traded by Manila, when they themselves formed the channel for the far greater commerce therein of the other European nations, “in which the Chinese goods, made in imitation of the European goods, and folded double like them, occupy the same place.” Moreover, the money returned to the Filipinas Islands did not all go, as Cadiz claimed, to foreign countries; but the greater part of it was invested in the *obras pias*, and in the fortunes of the citizens. It must also be noted that the Chinese champans carried home considerable cargoes of sibucao, sugar, and other products of the islands, in exchange for their stuffs. The royal officials at Manila, consulted by the governor, declared that the customs and other duties on the commerce would be greatly diminished by the prohibition of Chinese silks to the Acapulco trade – to the extent of more than 31,000 pesos a year, as was the case in the years 1719 and 1720, when the champans failed to arrive at Manila; besides which, the treasury lost 12,000 pesos, in the license-fees paid by the Chinese merchants who came to reside in the islands and sell their wares, and 6,000 more from other incomes dependent on the Chinese. The governor called together a conference of the religious superiors and the leading citizens; at which the matter was discussed pro and con; the sense of the meeting was expressed by the Dominican Fray Juan de Archedera, commissary of the Inquisition, who was asked to place his opinion in writing, and this was signed by those present, and attested by the governor, as president of the assembly. Arreche-

chests be permitted for the finer grades of cotton goods, entirely prohibiting the silk goods from China, except those mentioned in his letter of November 1 preceding; that besides the 3,000 piezas, the citizens be allowed to send wax and porcelain at their pleasure, as these are commodities of little value, and needed by Nueva España; that any smuggled silks be publicly burned, and very rigorous penalties imposed on transgressors; that more rigorous inspection of the lading be made at Manila, to prevent any contraband goods being sent, not only in the shipments of traders, but in the chests of passengers, officers, and others on the galleons; that suspected packages be opened at Acapulco; that the returns sent back to Manila be in no case allowed to exceed a million of pesos; and that the contribution of 20,000 pesos be remitted to the Manila shippers.]

186-188. [The viceroy's letter was referred to the dera took the ground that the viceroy's notification was not a formal royal decree; that if carried out it would mean the ruin of the islands, which surely the king could not intend or mean; that the matter should properly be decided by the king himself, after Manila had opportunity to be heard before him; and the viceroy could only regulate the commerce according to the royal orders, and had no authority to change the present conditions without those orders. The Jesuit provincial did not sign this opinion, but rendered his own separately, warning the Manila merchants that the viceroy might be offended at their attitude, and confiscate their goods if they did not obey him. The royal officials advised the governor to allow the silks to be sent to Acapulco, and meanwhile to secure the good-will of the viceroy for intercession with the king in Manila's behalf. The matter was finally settled, however, by the royal decree of 1734, obtained through the efforts of the Manila agents at the court, which revoked the viceroy's orders and permitted the silk trade to continue. (Concepción. *Hist. de Philipinas*, x, pp. 254-303.) Cf. the sketch of the Manila-Acapulco trade by Manuel Azcarraga y Palmero in his *Libertad de comercio en las islas Filipinas* (Madrid, 1872), pp. 39-96. Malo de Luque outlines the subject briefly in his *Establecimientos ultramarinos*, v, pp. 217-234.

royal Council; the deputies from Filipinas – at that time, Lorenzo de Rugama y Palacio, and Miguel Fernandez Munilla – thereupon asked for all the documents belonging to the Council which bore upon this subject; the Council consented (March 26, 1733) to do so, with the reservation of certain documents, and the deputies then drew up a long memorial protesting against the proposed restrictions on their commerce.]

189-190. [This memorial may be “reduced to five points: In the first it is proved that, for the preservation of the islands, and the propagation of the Catholic faith in them and in the adjoining regions, their commerce with Nueva España is necessary. In the second, it is declared that for the above result it is necessary that the commerce be carried on and allowed with a capital corresponding to the returns of 1,200,000 pesos every year. In the third, it is made plain that returns to that amount are impossible, if the traffic in the silken fabrics and goods from China, and their transportation, are prohibited to the merchants of Manila. In the fourth, it is demonstrated that no value should be attached to the exaggerated statement that damages will ensue to the commerce of España if that of Manila be allowed to embark and convey silk fabrics to Acapulco. In the fifth, it is explained how desirable is the continuation of the last regulation of the commerce, granted to the islands in the year 1726; and the advantages which result from that ordinance, notwithstanding the representations made by the viceroy.” This memorial presents a brief résumé of the various royal orders and decrees and the principal events connected with the Manila-Acapulco commerce during its history,

from 1587 to 1726; another, of the investigations made by the viceroy of Mexico regarding the galleon of 1731; and another, of the proceedings of the junta which he called together for discussion of the measures to be taken regarding the galleon of 1734. Then the above five points are considered *seriatim*, and at considerable length – mainly by restating and enforcing the arguments formerly employed, rather than by adducing new ones. In section i, the king is reminded that the islands serve as a safeguard and defense to Nueva España, and have kept the foreigners, infidels, and pagans of the East from getting a foothold therein by way of the Pacific coast; and it closes thus: “Thus, Sire, if this commerce ceases – the only foundation on which rests the maintenance of these islands – the Spaniards will abandon them; without their protection, the [religious] ministers will be persecuted to the utmost; the works of piety and charity in which the holy house of La Misericordia and the other foundations in Manila distribute enormous sums will cease; the religious orders will be reduced to uselessness; those villages will be desolated, by which your Majesty will lose many vassals; the foreigners and infidels adjoining those countries will make themselves masters of the islands; and (which is most cause for grief), when the fortunate advancement of our religion which has been secured there ceases, those who had embraced the faith will go to seek their living in the lands of the pagans, with evident risk of relapsing into the errors which they had detested. These dangers are worthy of the profound consideration of your Majesty, and cannot be averted if the commerce of Philipinas with Nueva España fails.” In section ii, the deputies protest

against the returns of 1731 being made the standard for the regular value of this commerce, as the gains of that year's Acapulco fair were phenomenally large. They declare that in order to maintain themselves they need not less than 1,200,000 pesos annually, especially as the number of citizens in Manila is now larger than in former years – in view of which, the amount for which they ask is very moderate, being even less in proportion than it was then. The following statements of population are interesting: in 1636-37, the number of Spaniards in Manila was 230; in 1702, there were 400; and in 1722, 882, a number which has since increased [this memorial being prepared in 1733]. What Manila asks will barely allow to each inhabitant, on the average, an investment of 800 pesos, which is hardly enough for a decent mode of living. What encouragement does this give to Spaniards to settle in such a country, and how can they thus better their fortunes? The opinions of various high officials (including viceroys of Mexico) are cited in support of this claim. Not only the Spaniards who are citizens of Manila are to be considered in this question, but the two millions of Christian natives who depend on the Spanish power, not to mention the 1,500 ecclesiastics who are occupied in maintaining the Catholic faith in the islands. In section iii, it is argued that the people of Filipinas must be allowed the trade in Chinese silks in order to secure any profit from their commerce. Manila claims that the restrictions imposed by the decree of 1720 were procured by the efforts of Cadiz, without the consent of the people of Filipinas, to whom those restrictions brought much distress; that the Acapulco trade was granted to them in the first

place in order to attract Spaniards as colonists, in order that intercourse with them might be the means of entrance and extension for the Catholic faith among pagans and infidels; that España produces hardly enough silk goods for its own consumption, and imports much from foreign countries, so that there is no just reason for prohibiting this trade to Filipinas. "Since what the Sangleys chiefly trade in is the silken fabrics and ribbons, if the shipment of these goods to Nueva España is forbidden that is the same as prohibiting intercourse with the Sangleys, because the consumption of the said silks and ribbons is very small, or not any, in Philipinas." The customs duties and alcavalas on the silk trade at Manila amount to some 40,000 pesos a year, which would be lost to the royal treasury by the failure of that trade; it will also have no means with which to buy the rice produced by the Indians. No profit can be made on the linens and other common fabrics prescribed in the decree of 1720, as they are of little esteem in Nueva España, and the demand for them is small, as also is their value, "since in one bale of these goods only the value of sixty or seventy pesos can be contained." If at the Acapulco fair these goods, even when the amount shipped is uncertain, bring prices so low that there is but little profit over the duties, freight-charges, and other costs, it may be imagined how unprofitable this sort of investment will be when (if that decree be enforced) the buyers there regard the cargo as composed mainly of these goods, "and the venders are not able to practice the maxim of concealing the [amount of the] merchandise, in order to secure the highest price for it, its abundance, which lowers the price, not being known." The

sayasayas and hose, the only form of silk fabrics permitted to Manila, are productive of but little profit; and even that would be entirely lost if they were shipped in large enough quantities to complete the amount of investment allowed to Manila, for the prices in Nueva España would thus be greatly lowered. Even if this were not so, one voyage of the galleon would so fully provide the warehouses of Mexico that no more would be needed for the next three or four years, which would ruin Manila's market for these goods. It is impossible that of these bulky goods any adequate quantity could be shipped within the number of piezas at present allotted to the citizens of Manila, which, indeed, is all that their one galleon can carry. Manila claims that the viceroy had no right to give the order regarding the galleon of 1734, and that both he and the junta rashly assumed that the prosperous Acapulco fair of 1731 was the standard by which to judge the results of that commerce – when in reality that was an accidental and unusual success; nor did the royal officials of Acapulco propose that the trade in Chinese silks should be prohibited to Manila, but only that the number of 4,000 piezas allowed it should be reduced. Section iv refutes the arguments brought forward by Andalusia against the trade in Chinese silks as injuring Spanish trade and manufactures, declaring them to be exaggerations and misrepresentations of the real facts. "It has very recently been made evident by that very commerce [of Cadiz] that the fabrics of España are not able to supply those provinces [of America], by the fact that in the company which, with the name of 'Philipinas,' has been established in the city of Cadiz, by royal decree of March

29, in this present year of 1733, among the articles and agreements which have been set down therein is one providing that in each ship of those which (without limitation) may be allowed to them for their traffic the silken fabrics from China may be freighted, to the extent of fifty toneladas, a little more or less; and, bringing those goods to these kingdoms [of España], they may sell them therein – not for consumption here, for this is prohibited; but that they may export those goods to foreign countries and to America, where they may be sold and consumed. From this it is evident, in spite of the complaints which the commerce of Cadiz has so often repeated on this point – while the merchants of Manila have never consented to this company, rather, always protesting and speaking against it, and when what may be offered to them is found by experience to be prejudicial to the preservation and maintenance of those islands – that the silk goods which are made in España are of so small amount that they cannot supply America, nor can those of China injure the consumption and satisfactory disposal of the Spanish goods.”⁴ Manila claims that this new company will

⁴ “Although the silks which Spain furnishes are in general very choice, those of Valencia are far superior [to the rest]; and both are suitable for all uses. Their only defect is that they are a little too oily, which causes much difficulty in dyeing them.” “The diversity of silks which Europe produces has not enabled us to dispense with that from China. Although in general it may be of heavy quality and uneven staple, it will always be in demand for its whiteness.” “The whiteness of the Chinese silk, to which nothing else can be compared, renders it the only suitable kind for the manufacture of blondes and gauzes. The efforts that have been made to substitute our silks for it in the manufacture of blondes have always been fruitless, although not only dressed but undressed silks have been tried for this purpose; but the results have been somewhat less unsatisfactory in regard to gauzes.”

“In the last century, the Europeans brought from China very

draw from the Spanish empire a much greater quantity of silver for the benefit of infidels than Manila can spend in buying the goods which have been sent thence to Acapulco; and that Cadiz has no room for complaints against the other commerce, since its own merchants are interested in this company – and all without the weighty motives which led to the concession of the Philippine commerce, the propagation of the Catholic faith, the preservation of the Spanish power in Eastern Asia, and the advancement of the Christian religion there. The establishment of this “Royal Company of Phil-

little [raw] silk; ours was sufficiently good for the black or colored gauzes, and for the catgut gauzes [*marlis*] which then were worn. The taste which has prevailed during the last forty years (and more generally during the last twenty-five) for white gauzes and for blondes has gradually increased the consumption of this Oriental product; the amount of this rose in modern times to eighty thousand pounds a year, of which France always used nearly three-fourths; and this importation has so greatly increased that in 1766 the English alone took a hundred and four thousand-weight of it. As the gauzes and blondes could not consume that amount, the manufacturers used part of it in making watered silks [*moires*] and hose. . . . Besides this silk of unique whiteness – which is chiefly produced in the province of Tche-Kiang, and which we know in Europe under the name of Nankin silk, from the place where it is especially made – China produces ordinary silks, which we call Canton silks. As these are suitable for only the wefts of some silk fabrics, and are as expensive as those of Europe which serve for the same uses, very little of them is imported; and what the English and Dutch carry away of this Canton silk does not exceed five or six thousand-weight.” (Raynal, *Établissements et commerce des Européens*, i, pp. 660-662.)

“The Chinese are no less skilful in working up their silks than in producing them; but this praise ought not to extend to those of their stuffs in which gold and silver are woven. Their manufacturers have never known how to draw these metals into thread, and their ingenuity is always confined to rolling their silks in gilded papers, or in pasting [*appliquer*] the stuffs to those same papers; both methods are equally faulty.” (Raynal, *Étab. et com. des Européens*, i, p. 662.)

pinas," in which traders of Cadiz have shares, shows plainly that all their complaints against the injuries to Spanish commerce from the Manila silk-trade were "merely a pretext for their securing the slender profits which that trade yielded to the islands." The trading-fleets and galleons which are sent out from Cadiz every two years are laden mainly with products made by foreign nations – English, Dutch, Genoese, Venetians, and others – and this traffic alienates from the Spanish crown each year more than eight millions of pesos; and even greater drain of money results from the traffic which those foreign nations carry on in the Indies.⁵ Much more money is taken out of

⁵ At the end of the atlas volume of Raynal's *Histoire . . . des établissemens et du commerce des Européens* (ed. of 1780, Geneva) are various supplementary sheets, containing tabulated summaries of the kinds and amounts of trade carried on by the leading European nations with their colonial possessions, chiefly those of America; from some of these we abstract items of interest which have some relation to the scope of our work. The first of these shows the amount and value of the commerce of the Company of Holland in the East Indies from 1720 to 1729 inclusive. In these ten years they sent out an average of 37 or 38 ships each year, manned by about 7,000 men; of these, 30 returned to Europe. The merchandise sold by the company amounted, in round numbers, to an average of 18,859,000 florins yearly, and the dividends distributed among the partners to 23 $\frac{3}{5}$ per cent (ranging, in different years, from 12 $\frac{1}{2}$ to 40 per cent); the amount of money sent to the Cape of Good Hope and to the Asian Islands averaged 6,560,000 florins. The average sales of spices yearly were as follows: Pepper, 4,500,000 pounds, at 11 sols, 2,475,000 florins; cinnamon, 400,000 pounds, at 5 $\frac{3}{4}$ florins, 2,300,000 florins; cloves, 400,000 pounds, at 4 $\frac{1}{4}$ florins, 1,700,000 florins; nutmegs, 250,000 pounds, at 3 $\frac{3}{4}$ florins, 937,500 florins; mace, 90,000 pounds, at 6 $\frac{1}{2}$ florins, 585,000 florins – a total of 7,997,500 florins. The original capital of the Dutch East India Company was 6,459,840 florins; about 57 per cent of this was held in Amsterdam, and about 21 per cent in the province of Zeeland. The number of shares was 2,153, each of 3,000 florins. During the period 1605 to 1777, the dividends annually distributed ranged usually from 12 $\frac{1}{2}$ to 40 per cent; in the following years they exceeded the

Nueva España by the Spanish trading-fleets, laden mainly with articles produced by foreigners and shipped thither by the merchants of Cadiz, than by the Manila galleon which carries thither goods bought from the Chinese. In the former case, the money is used to injure and harass the Spanish power; in the second, it goes to the Chinese, who are able neither to invade Spanish territory nor to aid the enemies of the crown. These foreign trading nations, moreover, carry to China and other countries of Eastern Asia more than four millions of pesos of Mexican and Peruvian coinage, which they spend there for the purchase of silks and other commodities, "in order to introduce these goods into the Indias, either illicitly or through the agency of the traders of Cadiz." In the junta convened by the viceroy of Mexico in February, 1732, one of the leading arguments for continuing the increased permission to Manila was, "that the returns of silver produced by the fabrics of foreign manufacture which the afore-said [traders of Cadiz] send in fleets and galleons to the Indias were in tens of millions, which from the ports of España pass to foreign dominions, and from latter rate—being in 1606, 75 per cent; in 1610, 50; in 1612, 57½; in 1615, 42½; in 1616, 62½; in 1671, 45 and 15. During 1771-77, they were uniformly 12½ per cent. These were paid usually in money; sometimes, in the earlier years, in cloves; and, in 1673, 1679, and 1697, in bonds or in contracts. In the period 1723-74, the prices of shares ranged from 788 per cent (in 1733) to 314 (in 1771).

Another table shows similar figures for the years 1679 to 1774—apparently for the new organization of the company in 1674. The capital is stated at 8,071,135 florins; there were 1,345 shares, of 6,000 florins each. The dividends, during the above period, ranged from 10 per cent to nothing, the yearly average being 1²¹/₃₃ per cent; neither these figures nor the prices of shares agree with those of the first table, but the reason for the discrepancy is not obvious.

these to the infidels of the Orient." The aforesaid Company of Philipinas has obtained permission that in each ship sent out by its members (the number of vessels not being limited) they may convey, besides the goods, the amount of 500 pesos fuertes in silver money – more or less, according to the needs of their business – to be invested in Oriental goods, with freedom to change for gold any surplus that may be left of that capital.* This permission leads to the drain of much silver from the country, opens the door for great frauds, and is manifestly unfair to Manila if the latter is to be deprived of its China trade. As for the ruin of the silk industry in España, "the city of Sevilla itself openly confessed (in a memorial dated April 24, 1696) that the ruin of its looms and the deterioration of its commerce arose from the single cause of the manufactures which the French, English, and Dutch had, since the middle

* In 1731 and 1733 Sevilla and Cadiz "both imagined (and it is rather surprising that this had not been sooner evident) that it would be an advantage to Spain to take part directly in the commerce of Asia, and that the possessions which it had in that part of the world would be the center of the operations which it would conduct there. In vain was the objection made against them that, as India furnished silk and cotton fabrics that were superior to those of Europe in their finish, in their colors, and (above all) in their cheapness, the national manufacturers could not support competition with those goods, and would infallibly be ruined. This objection, which might have some weight among certain peoples, seemed to them utterly frivolous, in the position in which their country stood. As a fact, the Spaniards use for both their clothing and their furniture foreign stuffs and cloths; and these continual needs necessarily increase the industry, the wealth, the population, and the strength of their neighbors – who misuse these advantages, in order to keep in dependence the very nation which obtains these for them. Would not Spain behave, with more wisdom and dignity if she would adopt the manufactures of the Indias? Besides the economy and satisfaction which she would find therein, she would succeed in diminishing a preponderance [of other nations] of which she will be, sooner or later, the victim." (Raynal, *Établissements et commerce des Européens*, i, p. 606.)

of the past century, introduced into their dominions, and from the lack of assiduous industry in the natives of these [kingdoms of España]; and that for this reason those peoples carried to their own countries our wools, in order to return them in the shape of cloths and other goods, which their industry was able to manufacture from those wools. The same thing occurs with the silks which (as we are experiencing) they are introducing into these kingdoms, [made] from the [raw] silk which they obtain here; and they sell in the Orient various stuffs and fabrics, with which usually the people of rank in these kingdoms are clothed; and such people in the Indias wear the goods which the merchants of España convey in fleets and galleons – as may be known by the books of the customs duties, in which appears all the above, and the increased amount of silken fabrics which the foreigners are introducing through the port of Cadiz, and others that open on the Mediterranean Sea.” Cadiz is reminded that its commerce penetrates into Peru, Buenos Ayres, Honduras, and other regions which are forbidden to Manila; that it has no more successful fairs in Peru than in Nueva España (indeed, obtaining even larger profits in the latter country); notwithstanding the alleged ruinous competition of Manila; and that the contraband trade carried on in the Western Indias by the foreign industrial nations causes far more damage to Cadiz than does the small amount of trade allowed to Manila. Cadiz has made no complaint against the shipment by Manila of stuffs from India and spices, doubtless because the prohibition of these would injure the trade of the English¹ and the Dutch, from

¹ “The settlements, commerce, and conquests of the English in the East Indies” are related by Raynal in his *Établissements et*

whom Manila buys those goods, and whom Cadiz favors and tries to enrich at the expense of the Philippine vassals of the crown, regardless of the injurious effects of such procedure on the propagation of the faith and the welfare of the former heathen who have been converted to it in the East. Manila asserts that the necessity of buying Chinese goods for the maintenance of the islands, and the increasing competition of the European nations in Eastern markets, have so raised the prices of those goods that Manila no longer can obtain the large profits which they formerly brought in Nueva España, but must now sell them at a very moderate advance over their cost (including of course therein transportation, duties, etc.). The prompt despatch of the Manila galleon from Acapulco has been caused mainly by the necessity of its sailing at certain times to secure favorable winds and weather; but this haste has been an injury to the *commerce des Européens*, i, pp. 261-398. The English East India Company was founded in 1600, and made a promising beginning in the Oriental trade; but the opposition of the Dutch and Portuguese, already intrenched therein, was so great and persistent that the English company - which was compelled to encounter also, in turn, competition from other English traders, hindrances arising from the duplicity and avarice of Charles II of England, losses arising from the civil war in that country, hostilities (originating from the greed and treachery of one of the company's own directors) with the Mogul emperor Aurungzebe, and the capture of many English trading vessels by French privateers - was several times almost ruined, and all English commercial prestige in the East was greatly injured. Finally, in 1702, the two rival East India companies in England united their funds and enterprises, and thereafter the affairs of the new organization prospered, in the main; and in 1763 the French were driven out of Asia, leaving the English masters of both political and commercial interests in India. In 1774 the latter drove out the Mahrattas from Salsette Island, and founded Bombay, which, although at first an insalubrious locality, on account of its fine harbor soon became the emporium of English commerce and center of that nation's power.

Manila shippers, "for it hinders them from selling their goods at a higher value, so they often dispose of them, for this reason, at the prices that the Mexicans are willing to pay for them, and at other times leave them for sale on commission [*en encomienda*], with the danger of losing them, and with the evident arrearage which is caused to the shippers by the lack of the money [which should have been received] from their sale, for use in their investments in the following galleon." The memorial concludes with section v, in which Manila urges, in view of all the foregoing, that the permission of 1726 be continued to the islands, and consequently, that the recent orders of the viceroy of Nueva España regarding the lading of the next galleon be revoked. These orders were at least premature, as the shipments from Manila under the new permission did not begin until 1730, so that the galleon of 1734 was entitled to a cargo of the sort allowed therein; moreover, the viceroy acted against the advice of the junta which he had convened to discuss this question. Manila claims that in 1732 the galleon did not carry back to the islands even what they needed for their maintenance, the returns from its cargo (although that contained the 4,000 piezas of permission) amounting to only 1,100,000 pesos; and in the present year of 1733 the returns will be hardly one-half of what the shippers received, on the average, in the years preceding the new permission – the Acapulco fair being a poor one this year, on account of the large cargoes brought by the fleet from Cadiz, and the large amount of fabrics brought by "the English ship." Manila needs 1,200,000 pesos annually, at the least; and in order to secure that amount needs the extension of trade

permitted in 1726. The returns of 1731, as has been proved, cannot be taken as the measure of its value, especially when allowance is made for the possibility of storms, shipwreck, or other disaster to the galleon. Manila also asks that if the returns should fall below 1,200,000 pesos, its annual contribution of 20,000 pesos to the royal treasury be dispensed with. The king is reminded of the great services which the people of Filipinas have always rendered to the crown, in opposing the encroachments of the Dutch and others against the Spanish power in the East, in defending the natives of the islands against the Moro pirates, in contributions for building royal ships and for meeting other pressing needs of the royal treasury, and always freely offering their lives and their property for the defense or aid of the crown – to say nothing of their devotion to the observance and extension of the Catholic faith, their support of missionaries, and their zeal in converting the heathen. Manila asks for the extension in perpetuity of the permission of 1726, with various minor concessions; if this be not granted, then it is asked for another five years, with the proviso that no change be made at the instance of Andalusia only, or without opportunity being given to Manila to express its wishes and set forth its needs.]

191-192. [This memorial was sent by the Council to the fiscal; his reply was handed in on November 10, 1733. He thinks that the islands need indispensably the traffic to Nueva España, including the Chinese silks, notwithstanding the remonstrances of the viceroy of that country; and that the prohibition made by the latter ought to be raised. Moreover, he finds that the royal treasury is the gainer by the

new arrangement: the duties up to 1702 amounted to 74,000 pesos, and from that time to 1729, to 100,000 pesos; but in 1730 (the first year in which goods were shipped under the permission of 1726) the duties, including the 20,000 pesos of contribution, were 202,754 pesos, and in the following year 229,552 pesos. He would not make a positive regulation regarding the Manila-Acapulco trade until the five-years' term is completed; but he makes the following recommendations: that the commerce be free in all kinds of goods, not excluding the Chinese silks and ribbons, but that the lading of the galleon be restricted to 3,600 piezas, of which 400 may be in those silk goods and others which do not allow the use of the press; and that the duties on all packages be the same as those specified in the decree of 1726, and that Manila be freed from the contribution of 20,000 pesos. He also recommends that Manila be allowed to send wax in cakes of eighteen (instead of twelve) arrobas net; and that his proposed arrangement be put in force for five years, in order to test its practicability – or, if the king so prefer, that the decree of 1726 be extended for another term of five years.]

193-197. [In this place is presented the informative report of the royal accountant at Mexico to the viceroy in 1730, because it is frequently cited in this controversy; but it is concerned mainly with the size of the packages on the Manila galleon.^a It appears

^a Formerly the *fardo* was $1\frac{1}{3}$ varas long, $\frac{3}{4}$ vara high, and $\frac{3}{4}$ vara less one *pulgada* (nearly one English inch) wide; but for a long time previous to 1726 the bale of this size had not been used, because it became necessary to break it open at Acapulco, in order to transfer the goods from the ship to the land, and it was replaced by the half-bale and half-chest, in order not to break open the package before selling it or transporting it across the country. These smaller packages were then called "bales" and "chests"

that these were measured by the vara *de Ribera*,⁹ instead of the Castilian vara, the former being "longer than the Castilian, by four dedos and part of another;" but allowance was afterward made for this difference. Ardila, the accountant, also recommended to the viceroy the enlargement of Manila's permission to 1,200,000 pesos of returns, and the reopening of the commerce between Nueva España and Peru. The royal Council discussed the fiscal's reply and other documents, and advised the king (December 19, 1733) to order the viceroy to recall his obnoxious orders relative to the galleons of 1734 and succeeding years, and to regulate the cargoes by the decrees in force from 1712 to 1720 – "excluding absolutely the regulation of the permission by piezas, and commanding that this be made in future strictly by invoices and sworn declarations." The ministers did not agree on the question of the amount of returns to be permitted to Manila, five being of opinion that no change should be made in the allowance of 300,000 pesos of investment and 600,000 of returns, and the five others advocating an increase to 500,000 and 1,000,000 pesos respectively. (The names of the first five are: Don Manuel de Sylva, the Marqués de Almodobar, Don Antonio de Sopeña, Don Fernando Verdes Montenegro, and Don Francisco Antonio de Aguirre; of the last five, Don Diego de Zuñiga, the (*fardos* and *caxones*); their dimensions are given in the decree of 1726 (fol. 118 verso of *Extracto*, or VOL. XLIV, ante, p. 311). This information appears in the informatory report furnished by Gabriel Guerrero de Ardila, accountant of the bureau of accounts in Mexico, to the viceroy, on March 6, 1730. (*Extracto historial*, fol. 193 verso, 194.)

⁹ Perhaps alluding to the Ribera (i.e., "shore") or navy-yard of Cavite – that is, the standard of measure used in shipbuilding and other industries there.

Marqués de Montemayor, Don Matheo Ibañez de Mendoza, Don Antonio Alvarez de Abreu, and Don Joseph de Valdiviesso. Abreu was the compiler of the *Extracto*.) The reasons for each of these opinions are given in detail.]

198-200. [When this opinion was ready to be sent to the king, letters arrived from the governor and Audiencia of Filipinas, remonstrating against the orders of the viceroy regarding the galleon of 1734. At the same time, the Manila deputies at Madrid presented another memorial to the Council, which accordingly held a new conference over this matter. On December 23 (after having consulted the fiscal), they reported to the king their opinion, which they said had not been changed by the aforesaid despatches. The king approved of their advice in regard to recalling the viceroy's orders, and in regard to the controverted point of the amount which should be allowed to Manila, he approved the opinion of Zuñiga and his associates, that of the increase to 500,000 and 1,000,000 pesos. The letters from the governor and Audiencia ask that the cargoes be estimated by piezas, and propose 300 or 400 chests of Chinese silk goods, instead of the 500 formerly asked; the memorial of the deputies urges that the sales for the first three of the five years had averaged only 1,350,000 pesos, and the succeeding ones could not exceed 1,200,000 pesos, which latter sum was necessary for the preservation of the islands.]

201-212. [On February 23, 1734, the Manila deputies presented a new memorial, under eight heads, making various minor requests in regard to the new regulation for the commerce, some of which were granted, and some refused. On April 8, a royal de-

cree was issued making such regulation;¹⁰ after briefly reviewing the various proceedings and documents which had appeared since the decree of 1726, command is given that the viceroy's orders be revoked, and the commerce continued in accordance with the decrees of 1702, 1712, and 1724 – prohibiting the valuation on the basis of piezas, and prescribing that this be accomplished by invoices and sworn

¹⁰ “With this, it may be said, finally came to an end the celebrated controversies which so persistently and for so long a time were waged by the merchants of Cadiz against the commerce of Filipinas, the standard of the [permission of] 500,000 dollars [*duros*] remaining permanent until the emancipation of the Americas [from Spanish rule] put an end to that traffic. It had the same effect on all the restrictions which for the space of almost three centuries had weighed down the Filipino commerce – for even in the year 1810 (as Comyn tells us in his *Estado de las islas Filipinas*, speaking of the Acapulco galleon) only one ship, commanded by an officer of the navy, could make these expeditions, once a year; and in order to share in that commerce a merchant must have a vote in the consulate, which presupposed property to the amount of 8,000 dollars and several years of residence in the country. He was [also] obliged to contribute, in the same proportion as the other shippers, to the allowance of 15,000 or 20,000 dollars made to the commandant of the galleon, besides paying 25 to 40 per cent for freight charges, according to circumstances. [Meanwhile,] the shippers were not able to make any examination of the condition of the ships in which they risked a great part of their fortunes; and there were many other impediments, which now we would suppose could not possibly have ever existed, if we were not so habituated to stupid proceedings of this sort.” (Azcarraga y Palmero, *Libertad de comercio*, pp. 64, 65.)

When the galleon of Acapulco ceased its voyages – the last one sailed from Manila in 1811, and returned from Acapulco in 1815 – the commerce fell into the hands of individuals, to whom in 1820 permission was granted to export merchandise from Filipinas to the value of 750,000 pesos a year; and their voyages were extended from Acapulco to San Blas, Guayaquil, and Callao. (Montero y Vidal, *Hist. de Filipinas*, i, p. 462, note.)

See Raynal's account of the policy pursued in the New World by Spain, its results on both that country and the colonies, and the elements of weakness in it, in *Étab. et com. des Européens*, ii, pp. 290-356.

declarations; and increasing the amount of the trade permitted to Manila to 500,000 pesos of investment and 1,000,000 of returns. As for duties, they shall be paid as commanded in the decree of 1702 (which fixed 100,000 pesos as the amount to be paid at Acapulco for the round trip of the galleon), *pro rata* therewith on the increase from 300,000 to 500,000 pesos; but this shall be paid as required duties, and not under the name of indult. No alcavala shall be paid on sales at Acapulco, but it shall be paid on goods which shall first be sent to other provinces of Nueva España. The duties are estimated on the basis of about 17 per cent of the returns on the cargo, and as the king pays "the cost of the building, careening, and repairing of the ships, the pay of the crews and officers, and the provisions, supplies, and ammunition needed for each voyage, without receiving more than 44 ducados for each tonelada of the lading allotted, not only will there remain no profit to my royal exchequer, but it will be necessary that it supply a considerable amount in order to maintain and preserve this traffic and commerce to the natives of Philipinas, which is all the bounty that my royal munificence can exercise;" but if the Manila shippers do not wish to accept this adjustment of the duties, they can (as before) pay the exact amount of the duties on each consignment of goods, without any dispensation or remission. No one to whom space has been assigned may transfer it to others, save in the case of poor persons and widows. Any excess of returns over the 1,000,000 pesos shall be divided among the shippers *pro rata* on their allotments of space and valuations of goods at Manila, and they may carry it back in products and commodities of

Nueva España, but not in money; if the returns fall short of the above sum, the deficiency shall not be made up, the royal officials being strictly forbidden to allow any infraction of this rule. Citizens of Nueva España are prohibited under heavy penalties from participating in this trade as shippers, of either goods or money. The measures used in regulating the size of packages shall be those which the Manila shippers have been accustomed to use, allowance having been made for the difference between these and the Castilian standards, as decreed in 1702 and 1733. The committee of distribution at Manila shall be composed of the following persons: the governor of the islands; the senior auditor of the Audiencia, or, as his substitute, the auditor next longest in service; the royal fiscal; the archbishop of Manila, or, as his substitute, the dean of the cathedral; one of the *alcaldes-in-ordinary*, and one of the *regidores*, of the city of Manila; and one of the eight arbitrators [*compromissarios*] who compose the commercial body¹¹ there—provided that the *regidor* and the arbitrator be chosen in turn, so that this duty shall fall, successively, on all the members of those respective bodies. Despatches to this effect were sent to the officials of Mexico, Acapulco and Filipinas. (The compiler of the *Extracto* thinks it worth while to call attention to the opinion of the royal fiscal of Mexico, given upon reading this decree, that it was “a just one, and generally advantageous to both commerces.”)]

[At this point (fol. 214 verso-264) is inserted the

¹¹ Spanish *comercio*, a word which has numerous meanings, according to the context; here evidently meaning a chamber of commerce, or an executive committee to look after the interests of the shippers.

Memorial informatorio presented to the Council of the Indias in 1637 by Juan Grau y Monfalcón, procurator-general for the Philippine Islands at the court of Madrid; we have already published this document, in our VOL. XXVII, pp. 53-212. Abreu says that he places it here (as "an appendix to Period ii") simply because he did not find it until after the fortieth sheet of the *Extracto* had been printed; and he speaks of it as "treating of the subjects of that undiscovered memorial" of 136 numbers which was cited in "Period ii" of the *Extracto* (see our VOL. XXX, p. 25)—"plainly showing that whatever discussion of this matter has occurred in these late years, and what will be said in the future, in regard to the commerce of that region is *new talk, but not talk of a new thing* [*es decir con novedad, pero no decir cosa nueva*]." For "Periods i and ii" of the *Extracto*, which, with Monfalcón's memorial, should be read as a preliminary to the present summary of that work, see our VOL. XXX, pp. 23-109. Cf. the earlier memorial by Monfalcón (1635) in VOL. XXV, pp. 48-73.]

PERIOD X

Relation is made of what occurred in regard to this commerce from November in 1734 until the present month of May in 1736, with occasion of the petition made by the consulate and commerce of Andalusia, proposing to surrender to that of Manila the traffic and transportation of all the cinnamon, pepper, and cloves which the kingdom of Nueva España can consume; and that Manila may ship the chintzes (of fine, middling, and ordinary qualities), and the silk, raw and spun

[beneficiada], if these are separated from the commerce in the silken fabrics and ribbons of China.

215-221. [It was supposed that the foregoing decree had settled the question of the Manila-Acapulco trade "for many years;" but on November 27, 1735, the king sent to his Council a memorial by Don Joseph Lopez Pintado, consul and deputy of the commerce of Cadiz, and an informatory report which had been made on that subject by the lieutenant-general of marine, Don Manuel Lopez Pintado; on these papers the king asked for the advice and opinions of the Council. The memorial of Cadiz states the two main points of the controversy: the first is, whether or not the commerce of España is injured by the inclusion of the Chinese silks and ribbons in the cargo of the Manila galleon. Cadiz has long claimed that this was so, while Manila answered that that trade was necessary for the maintenance of the islands, "and for the propagation of the holy gospel in them"—which argument, Cadiz says, "has always been the Achilles to oppose the just representations of the commerce of España." The second point is whether, if the silks are prohibited to Manila traders, any goods of equal value remain to them by which they can secure the returns which they claim to need. The first point is stated as in previous remonstrances, that the Manila trade in Chinese silks has ruined both the sale and the manufacture of Spanish silks, especially since the execution of the decree of 1724; the latter goods can now find no market in America, for the Chinese silks have made their way not only into Nueva España but into Peru, the colonies on the northern coast of South

America, and all the Windward Islands, "nor can their importation be checked by all the efforts and vigilance of the officials." Manila has probably abused the royal liberality and has transgressed the limits of its permission; for the deputies and appraisers there have valued the goods so low at Manila that at Acapulco they obtain for them three or four times the amount permitted to them by royal decree – for confirmation of which statement is cited the report made by order of the viceroy of Mexico, on August 23, 1731, by Don Francisco de Fagoaga, one of the leading merchants of Mexico, who was a witness of this infraction of law. It is these abuses of the Manila permission which aroused the viceroy to issue the orders of 1732, hoping to check the illegal excess therein. Cadiz now offers to surrender to Manila "forever the traffic and transportation of all the cinnamon, pepper, and cloves which the kingdom of Nueva España can consume," as also all the trade in chintzes of various qualities, and in silk raw and spun; in these Manila ought to find sufficient compensation for giving up the silks, but, even if it does not, its losses cannot compare with those of España from the permission given to Manila to trade in those goods, and the interests of the former ought to be preferred. General Pintado's informatory report makes a bitter complaint of the frauds and infringements in the Manila permission to trade.¹²

¹² At the outset, Pintado makes some statements to the effect that the Council of the Indias had taken the action which led to the decree of 1734, without consulting Cadiz, and had made certain inquiries and consultations with the Manila deputies alone. A marginal note by Abreu corrects this, saying, "Not only with the deputies; for the fiscal of the Council was heard [on the subject], who is impartial between the two commercial bodies."

He states that in the first galleon sent to Acapulco under the regulation of 1726 (which entered Acapulco in the year 1729)¹⁸ goods were confiscated by order of the viceroy to the following amount: 285 bales, 49 bags of cinnamon containing 7,105 libras, more than a thousand arrobas of wax, nineteen chests of silk fabrics, and many other goods. In the second galleon (that of 1730) were confiscated 319 bales, and 694 piezas of various bulky goods—cinnamon, wax, pepper, storax, and porcelain. Cadiz claims that at first (about 1690) the Chinese goods carried to Nueva España were in so small quantity and so inferior quality "that no one valued such goods; nor did these injure the commerce of España or its manufactures, until, two ships of Philipinas having been wrecked, that same viceroy [Conde de Galvez], as a measure of precaution, despatched General Don Andrés de Arriola with a patache to ascertain the cause for the delay in the arrival of those ships; and, that commander having returned to Acapulco in the following year, 1692, with this occasion the citizens of Mexico promoted the plan of furnishing capital for another new ship. Various citizens of Mexico, and others from Perú, went thither, and, carrying specimens of our [Spanish] fabrics, started the establishment [of factories] in Pequín, Cantón, and China; [they also set the Chinese to work] to make these goods of finer quality, and to manufacture fabrics like those specimens, and of the same quality. Both qualities were introduced [into Nueva España]

¹⁸ The Manila deputies, however, claimed that the decree of 1726 did not reach the islands until 1730, so that it was first put into practice in that year, the five years' term, therefore, including the shipment of 1734. (*Extracto*, fol. 150, 185 and verso, 190 verso.)

by that ship and by those which regularly followed it, in proportion to the amount that they found to be consumed in Nueva España; and this was considerable, on account of the fact that four years intervened between the trading-fleet of Conde de Sanrrami and that of Don Ignacio de Barrios, and seven years from that of the latter to the fleet of Don Manuel de Velasco and its return to España. That was the time when the traders of Philipinas reached the height of their traffic in the silk fabrics; and, finding in those years that there was no trading-fleet in Nueva España, they gathered in the rich treasures against which the consulate and commerce of Andalucia have with reason remonstrated." Pintado declares that he has been an eyewitness of these things ever since 1692, and that only during that time has Manila enjoyed this silk trade which it now claims as belonging to it by free possession and long usage. Cadiz has frequently protested against the injury thus caused to the silk industry of España, but has not before exposed the real condition of affairs; but, "even if the 300,000 pesos of the permission which was granted and enjoyed up to the year 1728 inclusive had all been spent for goods of the silk made in China, without [the galleon] carrying anything else, at the prices which they were fairly worth in Manila, and even if twice as much were furnished at these prices, how was that trade [of Manila] capable of supplying [with those goods] Nueva España, the Windward Islands [*Islas de Barlobento*], the new kingdom of Granada, Tierra-Firme, and Perú, as we have seen for the last forty years, when, as those who are intelligent [in these matters] understand, it is not possible to do so even with two millions' worth of

goods of the said class?" Manila is accused of fraud, bad faith, and deceit in the conduct of that trade and in misrepresenting it to the government; and the royal officials, of collusion in the illegal trade, and disobedience to the royal decrees which commanded that the original invoices and sworn statements of goods should be sent to the Council of the Indias. The only way to check this procedure is to prohibit entirely to Manila the trade in Chinese silks; and Cadiz offers to make up this lack by ceding to Manila the entire spice trade in Nueva España. The following estimate, based on the amount of spices carried thither by the trading-fleet, is made of the value of this trade: Of cinnamon, that country needs 250,000 libras annually, which, estimated at eight silver reals a libra (although it has been worth at Manila nine reals), would amount to 250,000 pesos; 100,000 libras of pepper, at one silver real in Manila, 12,500 pesos; 10,000 libras of cloves, at twelve reals, 15,000 pesos; in all, 277,500 pesos, which is somewhat more than half of the amount of investment now allowed to Manila. "It is certain that if only the merchants of Philipinas trade in these commodities, they will advance the price more than 150 per cent, obtaining their money in Acapulco." Besides the spices, they have permission to trade in many other commodities which are generally desirable for the trade with Nueva España, where the consumption of these is great; and there is more than enough of these to fill out the 500,000 pesos' worth of goods allowed them. The result of this arrangement would be to revive the ruined silk industry of España (and "experience makes it plain to us that there is no other fabric than silk, of our own weaving, which

can produce any profits”), besides retaining within the domains of España the money which now goes to heathens and infidels. “While the commerce of Philipinas shall last, as it is now carried on, neither the conquests, nor the reduction of the Indians, will proceed with the increase that people confidently believe; but rather these will be diminished,” because the Spaniards who have money care only for commerce and not for the propagation of the faith. This is proved by their neglect of the interests of the natives in Luzón; for “we do not see that the Spaniards apply themselves to what is so much their obligation, since they so loudly profess it; and consequently they will not reëstablish the manufactures of cotton fabrics, which can very well be done in those same islands – by which industry the natives furnish this product, and others which are yielded there can be more easily obtained; and in this case it would be money for those citizens if they would apply themselves to this enterprise, instead of the commerce which they have with the Chinese and other infidels.” These papers were, as usual, sent to the fiscal, whose reply came before the Council on January 8, 1735. He disapproves the proposals of Cadiz, since the prices of cinnamon and other commodities are liable to fluctuation, and the amount of profit for Manila would be uncertain and variable; cinnamon is a bulky product, and the necessary amount could not be carried in the galleon now assigned to the Manila trade; the merchants could not be sure of a favorable sale at Acapulco, “which at the fairs is secured by the diversity and abundance of commodities;” moreover, the Dutch, from whom the cinnamon was bought, would raise its price as

soon as they should learn that the Spaniards of Filipinas were the only ones to whom was permitted the shipment of spices to America. If the Manila shippers failed to secure the full amount for returns, the royal treasury would not receive as much from customs duties as usual, and must therefore make up the resulting deficiency in the situado sent to the islands. "It would also follow that even if the merchants of España should religiously observe the agreement which they propose, of not trading in that merchandise, the illicit importations into that kingdom [of Nueva España] would be attempted with even greater activity; and as in that country there is so general a use of chocolate, in the manufacture of which would be consumed the greater part of the cinnamon, all that extensive kingdom would find itself compelled to buy [cinnamon] at one port only, and through one agency — being always exposed [to the danger] that in a year when the Philipinas ship could not make the voyage (as has happened), or encountered mishaps through accidents which might occur, that country would experience the deprivation of this article of sustenance, or at least a great scarcity in a commodity so generally used, as is well known." The fiscal also reminds the Council that the trade in spices may be shared with the Royal Company of England, which is "authorized to trade, in its annual ship, in the goods which it shall choose, in which it could include the cinnamon, and through this agency introduce it into Mexico; in this it would seriously injure the commerce of Manila during all the time which remains for the fulfilment of this agreement, and would be opposed to the freedom of his Majesty in proroguing it, or making it anew with

some other power. Such action could not be hindered by the commerce of España, and as little by the Royal Company of Cadiz, founded by his Majesty on March 29, 1733, which could introduce this commodity into Mexico." The fiscal recommends that a junta be convened in Mexico to discuss this subject, and give their opinions and advice thereon to the Council; and that Manila and Cadiz be invited to send representatives to this conference. On February 9 the Council agreed to send to the deputies of Filipinas a copy of the Cadiz memorial, with a statement of the arguments advanced by General Pintado (but suppressing the name of the author), in order that they might answer it.]

223-224. [The Filipinas deputies made answer to this attack by Cadiz, in a long memorial dated March 30, 1735. Manila claims to have enjoyed the possession of the silk trade with China from the discovery of the islands, and that these goods were never excluded from its trade with Nueva España – to which country that trade was not confined until the decrees of 1587-93 – until 1720, when, at the instance of Andalusia, a prohibition of the Chinese silks was made, although it lasted only four years. The charges by Cadiz of frauds in the lading of the Manila galleon have no foundation in fact; the cited statement by Don Francisco Fagoaga does not appear among the documents on the subject, and is "a fanciful supposition;" and the valuations are made by appraisers appointed by the governor of Filipinas, under their solemn oath to fulfil their duties faithfully and well, while the royal fiscal acts as superintendent of both the valuations and the lading. Manila's former assertions refuting in de-

tail, and with citations from the official records of Manila and Acapulco, the accusations of infractions and excess of the permission, are repeated here, as also the statements regarding the Mexican junta of 1732 and the concessions made to the Company of Philipinas, formed among the Cadiz shippers. The overstocking of the markets in Nueva España is caused, not by the silk goods shipped from Manila, but by the enormous quantities of cloth and stuffs (largely manufactured outside of España) sent to that country by the Cadiz merchants; they have sent eighteen or twenty ships¹⁴ in each fleet, although

¹⁴ One of the tables at the end of Raynal's atlas volume gives an itemized list of the cargoes carried by the "last eight Spanish trading-fleets to Vera Cruz"—that is, the last eight preceding Raynal's work. Their cargoes were of the following amounts: in 1733 (under command of Torrez), 618,595 cubic palmos; 1735 (Pintado's), 620,000; 1757 (Villena's), 618,557; 1760 (Reggio's), 841,717; 1765 (Idiaques's), 486,943; 1768 (Tilly's), 452,282; 1772 (Cordova's), 914,807; 1776 (Ulloa's), 934,366. But one of these fleets carried cinnamon, that of 1735; and cloves appear only in the trifling amount of 50 quintals, in 1768. The chief articles enumerated—which appear in every year's list—are paper, wax, iron, steel; brandy, wine, and oil; and unbleached stuffs [linens?] from Brabant. Quicksilver was carried in only 1765 and 1768, 7,506 and 8,000 quintals respectively. Wrought iron was sent in five of these shipments, but in no considerable quantity except in 1765, when also was sent 2,724 barrels of tin-plate (in other cargoes, in but trifling amounts). Silk ribbons made a solitary appearance in 1757, to the extent of 1,000 pieces—as did 1,000 "swords to be mounted with hilts," in 1765. The last two fleets carried consignments of gun-flints, respectively 650 and 386 thousand-weight.

It is evident, however, from another table (which follows the above), that Spanish commerce had much activity outside the trading-fleets; this shows the amounts of "merchandise which left the ports of Spain each year from 1748 to 1753 for its colonies on the continent of America; duties which they have paid; their current value in the New World; expenses which they have borne; their net product for the metropolis [*i.e.*, Cadiz]." Of these goods, the only one monopolized by the crown was quicksilver, to the amount of 3,600,000 livres' worth. The greater part of this

formerly there were but ten or twelve – “on account of which excess his Majesty has finally resolved that only eight shall go in the next armada, without doubt because of the great outcry regarding this by the commerce of Mexico.” Moreover, those same traders of Cadiz have secured the concession of fifty toneladas of Chinese silks for each ship that they

merchandise consisted of cloth and stuffs, of silk, linen, and wool; there was a considerable amount of iron, paper, wax, brandy, wine, and oil; and to Nueva España was sent 1,000,000 livres' worth of cinnamon, and to Caracas 10,000 barrels of flour. Of the goods sent to Nueva España (not counting the quicksilver), 6,367,297 livres' worth were of Spanish production, and 14,401,815 of foreign. The import duties levied on the latter at Cadiz amounted to 1,185,343 livres, and the export duties on both Spanish and foreign to 1,245,059; and admiralty and averia duties besides came to 419,623. The goods on board, then, cost 23,619,137 livres, to which must be added the following charges: transportation to America, 3,617,623; import duties and alcavala in America, 4,327,473; commissions on sales and return freight, 3,231,296 – a total of 34,795,529 livres. The value of this merchandise in America was arbitrated at 43,274,787 livres; deducting the above costs, a profit of 8,479,258 livres remains from the merchandise sent from Spain to Nueva España. On the return voyage, the main part of the cargoes was in gold and silver – 6,480,000 livres' worth for the king, and 37,716,047 for the merchants; the crown monopolized copper and cacao, 259,200 and 12,960 respectively; the cochineal was worth 6,426,000 livres, and the indigo 4,160,160; and various drugs, dyes, etc. made with these a total of 56,216,533 livres (all these values being those estimated in America). To this cost must be added freight charges, 1,491,543 livres; and various duties to the crown (including customs, admiralty, church, etc., the largest being for “indult and coast-guards”), amounting to 6,428,987. Consequently, when the ships arrived at Cadiz the value of the gold and silver had been reduced to 5,625,607 livres for the king, and 32,775,345 for the merchants; while the cost of the other commodities had increased from 12,020,486 livres to 14,145,922. The current value in Europe of these goods (not including the gold and silver) was 18,465,419 livres, a gain over the entire cost of 4,319,497 livres (30½ per cent) – of which 124,527 belonged to the king, and the remainder to the merchants, as the net proceeds on the commerce between Spain and Nueva España, outside of the precious metals, in both the outward and return voyages each year.

may send out, to be sold in America; the little that is shipped from Manila ought not to be considered in comparison with that traffic, and is intended, besides, for the poorer classes, who cannot afford to buy the more expensive fabrics. If the Western Indias have been inundated with Chinese silks, it is caused not by the shipments from Manila, but by the great trade in these goods which is carried on by the English and Dutch, who have factories and warehouses in Jamayca and Curazau [*i.e.*, Curaçoa], which they supply from China and other Oriental countries with fleets of more than forty ships, and trade those goods in the American islands (as Cadiz is well aware). As for the offer of Cadiz to yield to Manila all the trade in spices to Nueva España, that trade has never been prohibited to Manila nor has it been the exclusive privilege of Cadiz, so the offer amounts to nothing. Nor has Cadiz any right to dictate to Nueva España its source of supply for spices, since both the English and the Cadiz companies have the privilege of trading there in these goods; moreover, large quantities of pepper are produced in the Mexican districts of Chiapa and Tabasco; both these causes tend to injure the sale of spices carried from Manila thither. As these spices (except pepper, which has but little value in any case) are monopolized by the Dutch, they are likely to refuse to sell them to the Filipinas merchants (as has occurred frequently before), because the Dutch need them for lading their own fleets; or they will raise the prices, supposing that Filipinas must buy from them. The cinnamon is so bulky (as it cannot be pressed) that much space on the galleon is thus lost, as well as by the necessity of carrying two-thirds

more ballast than usual, because of the light weight of the cinnamon; and the voyage of the Manila galleon is incomparably longer, more difficult, and more perilous than that of the Spanish ships to America. The amount of spices allotted to the galleon by Pintado would fill all its available capacity, leaving no room for any other goods; and it would be impossible for the shippers to secure any profit from such a cargo – for which they could not find a market in Nueva España, for lack of the other goods. Nor would it be possible to dispose of more than half the amount of pepper and cloves which Cadiz proposes for them, since that is enough to supply the needs of that country. In any case, the profit on the spices will be insufficient, if Manila is restricted to these goods, without the silks, to produce the amount which those islands need for their support. This is proved by tabulated statements of the prices, costs, and returns on each one of the three kinds of spices concerned; these we present here in somewhat condensed form. A churlo¹⁵ of cinnamon, of the measure which the commerce of Manila orders to be observed, weighs 150 libras gross, but the net weight is twelve libras less, after deducting the weight of the coverings and wrappings. The cost in Manila is nine silver reals a libra; for the space which the churlo occupies is usually paid forty pesos; for portorage, royal duties, notary's fees, etc., 8 pesos. On the voyage it loses two per cent in weight, so that but 135 libras remain for sale; it brings at Acapulco eighteen reals a libra, amounting

¹⁵ *Churlo* (or *churla*; from the Latin *culeo*, ablative of *culeus*): a sack made of *pita* (i.e., agave) fiber-cloth, covered with another sack of leather, for carrying cinnamon and other articles from one region to another without losing their strength (Echegaray).

to 303 pesos, 6 reals. From this must be deducted the following payments: royal duties, 32 pesos; unloading at Acapulco, notary's fees, etc., 7 pesos, 2 reals; commission to the agent for its sale, at five per cent, 15 pesos, 1½ reals; five per cent royal duties on shipment of the returns to Manila, 12 pesos, 3 reals; two and ½ per cent on the net returns, paid to the keeper of the silver, 5 pesos, 6½ reals. From these figures it appears that it costs 203 pesos, 2 reals to place the churlo of cinnamon on ship-board at Manila, and 72 pesos, 5 reals to sell it and return the money to the shipper there; deducting these expenses from the amount received for its sale, the profit of the shipper is but 27 pesos, 7 reals, or about 13½ per cent. *Pepper*: 100,000 libras of this product make 4,000 arrobas; this quantity (since each pieza is estimated at six arrobas or 150 libras, without the wrappers) makes 666 piezas. Pepper is sold at Manila at one real a libra, so that the pieza costs for purchase 18 pesos, 6 reals; it costs 43 pesos more to place it on the ship, and 18 pesos, 7 reals besides for expenses of sale and shipment of returns — in all, 80 pesos, 5 reals. At Acapulco it would sell at four reals a libra, the pieza, therefore, bringing 75 pesos; the shipper, then, instead of gaining any profit has lost 5 pesos 5 reals by the transaction. *Gloves*: These are packed in chests containing 150 libras each; the purchase at Manila costs twelve reals a libra, so the chest costs 225 pesos. Add to this the cost of placing it aboard, duties, cost of unloading and sale at Acapulco, and for the shipment of returns, 146 pesos, 7 reals, and the total cost is 371 pesos, 7 reals. The cloves shrink on the voyage, involving a wastage of three per cent; at Acapulco

they sell at three pesos a libra, and the 145½ libras thus bring 436 pesos, 4 reals – the net profit to the shipper being 64 pesos, 5 reals, or about 24 per cent. The prices quoted above are based on those which have been current in Manila and Acapulco for the past five years. It is evident, therefore, that the spice trade could not compensate in any way for the loss of that in silks; nor has Cadiz made allowance for the possible failure of a galleon to reach Acapulco, which would ruin the market for the one which should arrive in the following year, since the spices thus lacking would be supplied through the Atlantic ports of Nueva España. The customs duties would be much less on a cargo of spices, and thus impair the royal revenues; for each chest of silk pays 55 pesos for duties, and each bag of cinnamon only 35. The incomes of the Spaniards in Filipinas would be so reduced that they could no longer defend the islands from the Moro pirates, or from the Dutch, who would thus become masters of them; and the Spanish colony and the Christian churches formed among the natives would alike be ruined.]

225-233. [This memorial from the Philipinas deputies was communicated to the deputy from the commercial interests of España, Joseph Lopez Pintado, on March 31, 1735; and on the first of June following he presented another in reply, accompanied by various illustrative documents. The former arguments are repeated, but various interesting data are adduced in their support. Pintado states that the looms for making silk fabrics in España numbered more than 70,000 in the days when that industry flourished there. Nueva España was forbidden to cultivate the vine and the olive, in order

to protect those industries in España. The commerce of Manila in Chinese silks has ruined the silk manufacture not only in España but in Mexico, where formerly was worked up the raw silk carried by the Manila galleon. Cadiz claims that the decree of April 8, 1734, was obtained on the strength of the representations made by the Manila deputies, without giving Cadiz any opportunity for remonstrance; Abreu furnishes at this point a marginal note to explain this, saying that the king asked the Council of the Indias to report on the matter as quickly as possible, and that the action which he wished to take brought the question back to the status which it had on previous occasions of this sort, when the commerce of Andalusia had had a full hearing; they had therefore considered it unnecessary to hear its arguments again. The enactments of 1593 are cited to show that not until then was the commerce of Manila restricted, and that because it was injuring that of España; but this and succeeding laws show that it was the royal intention to allow Manila sufficient trade to provide for its needs and support. Moreover, after the islands were conquered a large territory was allotted to Manila (as to other Spanish colonies) for its support; and in its early history these lands produced abundantly for the maintenance of the inhabitants. Besides these, the cotton fabrics made by the natives were more than enough to supply the islands, and became the basis of the exchange and barter trade with China. Manila ought to return to these industries for its support, and has no right to expect that it be supported without them. All the realms of España are under obligation to support the crown; but Manila asks

the crown to support it, at the expense of great injury to the interests of España itself. The citizens of Manila have yielded to idleness and sloth, and have allowed the idolatrous Sangleys to monopolize and manage the industries and even the commerce of the islands. Some of the mestizos had erected looms for the manufacture of the finer kinds of cotton fabrics, but the Sangleys succeeded in breaking up this enterprise. A section of the memorial is devoted to proving that the permission to Manila to trade in Chinese silks has not been and is not of use for the increase and propagation of the Catholic faith in those regions, which has flourished without Manila and its commerce; on the other hand, the success and profits of that commerce have been caused largely by the work of the missionaries, especially in China. As for the Chinese who are converted at Manila (drawn thither by the opportunity for trade), they usually become Christians for selfish and worldly ends, and soon relapse into their former heathenism. They even have a proverb: "In Manila, [do] as in Manila; in China, [do] as in China." Their infidelity and atheism have a bad influence on the Indian converts, who learn many evil things from the Chinese, as also do the converts in China itself; and the citizens of Manila are reproached for their familiar relations with those infidels. They have also allowed the Chinese to get control of affairs and commerce in Manila, and the latter are living on their blood. In España, both canon and civil law prohibit intercourse with Mahometans and idolaters, and it is not long since the Moriscos were expelled from that country—notwithstanding "the great products of their industry, the tributes which

they paid into the royal treasury, the commerce of the province [of Andalusia] which through them was greater than that of the other realms, and even (which is more important) their being the sheep [of the Church], which Manila says ought to be sought out and preserved; for, as it had been found impossible to secure the purity of religion by the means which the law set forth, it was necessary, in view of the duty of preserving and maintaining the holy Catholic faith in the kingdom in quiet, peace, and security, to expel and cast out those people. Accordingly, in order to preserve the faith in Philipinas, which is a matter that should receive careful attention, the prohibition of their commerce [with the Chinese] is necessary, which is of even less estimation than that of those expelled Moriscoes." In another section, Cadiz reminds the king that in the compilation of the statutes of the realm provision is made that no decree or ordinance which is contrary to law and right, or which is injurious to certain regions, shall have force; and this should apply to the decree of 1734 permitting to Manila the commerce in silks, since that has deprived the Spanish traders of their rights and privileges in the results of their commerce, and has ruined the silk industry in that country. Thus is greatly injured the prosperity of the provinces in which it was exercised; and this reacts on the entire kingdom of España, reducing so many artisans to poverty, causing them to abandon their families or their native places, and bringing many to idleness and crime. Cadiz again alleges the frauds in the Manila commerce, declaring that the goods sent to Acapulco are appraised at less than the fourth of their current value in Manila, and are sold

at 100 per cent advance on that actual value; and that these illegal acts are promoted by the merchants of Mexico, in collusion with those of Manila – all of which may be proved by the documents in the archives of the Council of the Indias. This trade of Manila in silks from China enriches a small class of wealthy merchants (in both Manila and Mexico), the only ones who have the wealth to engage in and profit by it – and this at the expense of the poor and those who have but moderate funds, by absorbing the opportunities and profits in which the latter ought by right to have a share. The Chinese goods, moreover, are of poor and flimsy quality, and last only one-fourth to one-half the time that the Spanish fabrics do. Cadiz supports its arguments by many citations from the laws of the realm; among these are prohibitions against exporting the products or commodities of one province or city to another – as, no salt, wine, must, or vinegar might enter Castilla from Aragón or Navarra; and the silk of Calabria and Naples must not be imported into the cities of Segovia, Zamora, Salamanca, Cordova, and Cuenca – although all these were parts of the Spanish empire. In line with these is the desired prohibition of the silk trade to Manila, especially since that trade is so injurious to the commerce and industry of the mother-country. In that case Manila should have (by another law cited) an equivalent benefit; and Cadiz has already proposed this, in the spice trade – to which it has a right, but is willing to cede it to Manila. The arguments brought forward by Manila as to the consumption of spice in Nueva España, the bulky character of that merchandise, the costs of transportation and sale, duties, etc., are met

by Cadiz with others to refute or weaken the former. The Manila galleon brought to Acapulco in 1729 cinnamon to the amount of 99,233 libras, and in the following year 167,100 libras. The fleets from España carried thither the following cargoes of that spice: In 1723, 105,201 libras; in 1725, 143,629 libras; in 1729, 225,012 libras; in 1732, 182,163 libras. Add to this the amounts which the Manila galleons transport; those which are carried in pack-cloth bales [*arpillería*] (subject to *palméo*¹⁶), in order to gain the benefit of the [reduced?] freight charges; and, besides, those which the licensed ship from Inglaterra conveys (of which no definite calculation can be made): it is morally certain that the annual consumption of Nueva España will amount to and even exceed the 250,000 libras. Even if it should fall below that, there are other facts to be considered. It is true that "when the traders from España, England, and Filipinas all come at the same time – that is, in the month of March, when the fairs are held (for the first two nations, at Xalapa; and for the last, at Acapulco) – the price is usually broken to 18 reals of silver a libra, as the deputies state; but they omit what is more worthy of consideration. This is, that in the intermediate years between the trading-fleets, and according to the circumstances of the times, the price of this commodity rises to so excessive a degree that, from the year 1706 to that of 1709, on account of the wars in Europa and the failure of fleets to go to Nueva España, a libra of cinnamon was maintained at twelve to thirteen pesos, this great profit being secured by the ships from

¹⁶ *Palmeo*: measure by palms; evidently referring to the usual estimate of lading-space in a ship by cubic palms.

Philipinas, which came in those years to Acapulco. And from the year 1725 to that of 1730 (at which time the petitioner [*i.e.*, Pintado] was in Mexico) I knew from experience that in the ship which came in the year 1728 the Philipinos sold the cinnamon at five pesos a libra; and those who did not return in the galleon, and conveyed to Mexico some quantities of the cinnamon, succeeded in selling it at eight to nine pesos. In the year 1729, it was disposed of in Acapulco at thirty silver reals [or $3\frac{3}{4}$ pesos]. This is what occurs, and always will occur, on the afore-said occasions of interval [between fleets], and, too, [it occurred] when the trade was carried on by both parties (which is what deprives commodities of value, through being handled by many persons); the exclusive control [of this spice], then, remaining in the [hands of the] Philipinos, from their being the only ones who transport it, the reputation and value which they can give it, and the lucrative profits which (without contest) they will obtain, are not doubtful." The objections raised by Manila in regard to expected competition are not well founded: the Company of Philipinas is in an inactive condition, and its directors have apparently abandoned their scheme, but in any case Cadiz would feel responsible for not allowing that company to injure Manila's spice trade; and, as for the English ship, the king can persuade or prevent its owners from including spices in their cargoes. The prices of spice charged to Manila by the Dutch are much more likely to fall than to rise, when Manila has the exclusive control of that trade. Cadiz asserts that the costs of trade enumerated by Manila are too large, and modifies them thus: Cinnamon (of which, as

in all other commodities, there are three grades—poor, medium, and excellent) ought to cost but 8 reals at Manila. The duties paid there, on the basis of 44 ducados (of 11 reals each) a tonelada, should be only 13 pesos a churlo, according to its measurement in palmos; and the other expenses of placing it on board amount to 3 pesos—so that it costs only 154 pesos a sack to convey the cinnamon to Acapulco, instead of 203, as Manila claims. The profit, therefore, amounts to 77 pesos, 1 real, which is equal to 50 per cent, instead of 13. In the same way Cadiz reckons the gain on pepper at 96 per cent, and on cloves at 43 per cent, against Manila's estimate of a loss on pepper and a gain of 24 per cent on cloves. It must be noted, too, that Manila is not satisfied with less than 100 per cent gain, while the Spanish traders are hardly able to make good the principal cost of their wares. The amount of ballast required for a light cargo is also overstated; this matter has been duly investigated by the officials of the India House at Cadiz, and it appears that the maximum amount of ballast for a ship of 1,000 toneladas, of the usual construction and of American timbers, is 333 toneladas for a cargo of light goods (such as cinnamon and bales of cloth). The Philipinas ship carries stone for ballast; the 333 toneladas of this, each weighing twenty quintals, are equivalent (by cubic measure) to 117 toneladas of the vessel's lading-space or capacity, which leaves 883 toneladas of space in the hold for the cargo. To augment the above amount of ballast would too greatly reduce the cargo, and even the necessary supplies for the voyage. Cadiz criticises the construction of the Manila galleons, especially as they are evidently built

so as to carry a larger cargo than that which is allowed by the permission – as is confirmed by the large amounts of property that have been confiscated at Acapulco. The “elephant” lienzos may be estimated to fill 800 bales, each containing 20 piezas, and each pieza being valued at 3 pesos; and the cotton stuffs and raw silk, etc., 1,512 bales, each worth at least 125 pesos. These cotton stuffs, when fine, are handsome, and find a large demand and sale in Nueva España; moreover, the raw silk imported into that country is worked up in Mexico, and is an important article of commerce. When the importation of Chinese silks is prohibited there, “the manufactories which had begun to be established in Mexico will be protected; in these many persons were occupied, and were supported by working floss and twisted silk into fringes [*galon*], and into the fabrics which were used in Mexico, produced by those factories.” The “elephant” stuffs, “being equivalent to Rouen linen, and conveniently supplied, are purchased in Nueva España not only to be used as white goods, but they are dyed for linings and other purposes.” The extent of their consumption is shown by the quantities of them that the Manila galleon brings to Nueva España: 3,117 bales in 1729, and 2,432 in 1730; but even these large importations did not overstock the market there. The customs duties are not diminished, as Manila claims, by the prohibition of Chinese silks; the cargo proposed by Cadiz would yield the regular amount of these duties, amounting to 17 per cent of the returns, as follows: on 168 sacks of cinnamon, at 32 pesos, they amount to 54,016 pesos; on 2,312 bales of cotton stuffs, etc., at 30 pesos each, 69,360 pesos; the five per cent exacted on the shipment of the silver

for returns, figured only on a return of 900,000 pesos, 45,000 pesos. This leaves a balance of only 1,624 pesos to be levied on the wax, pepper, and other miscellaneous wares of the cargo, to fill out the 17 per cent demanded by the crown. Manila has omitted to include any estimate of the import duties which would be collected in that city on the cinnamon which Cadiz desires it to handle; these would certainly indemnify Manila for the losses incurred by the lack of the Chinese silks. Among the papers accompanying this memorial are official certificates of the amounts of spice carried to Nueva España by the trading-fleets from Cadiz during 1723-32; the quantity of cinnamon in each has been already mentioned, cloves were not included in any of their cargoes, and pepper diminished from 54,804 libras in 1723 to none in 1732. Another document is the report of an investigation made at Cadiz as to the measures of bales and chests and of the *churlo* in which the cinnamon is transported; this last was found to measure 30 cubic palmos outside the vessel's hold, but 38 palmos when within it. *Arquéo* is defined as "the computation or estimate which is made of the bulk of the lading which the ship contains in its hold; this burden was measured by toneladas, each one of which contained 8 cubic codos, and each codo consisted of 33 dedos of the 48 into which the Castilian vara (which is commonly called 'the vara of measure') was divided. The tonelada, having as its [cubic] root two codos, or 66 dedos, contains 287,496 cubic dedos; dividing this number by 1,728, the number of cubic dedos in a cubic palmo, or quarter of a vara, each tonelada of *arquéo* is equivalent to 166 $\frac{3}{8}$ cubic palmos; from this it is deduced

that if the ship is one of 1,000 toneladas, it will contain 166,375 cubic palmos, and in the same ratio for any other tonnage. As for the regulation of the spaces between decks [*entrepuentes*] by the capacity of their storerooms, no general rule could be given, on account of the great irregularity which was observed in them; for this matter was at the discretion of the shipbuilders, and according to the object for which the vessel was built.”]

237-241. [This memorial having been sent to the fiscal, he replied (November 10, 1735) that the proposal of Cadiz was not a fair one; for the purchase of 250,000 libras of cinnamon, and the costs of placing that amount in the Acapulco market, would amount, even at Cadiz's own figures, to an investment of 277,008 pesos, and at Manila's to 331,024 pesos, while Cadiz had assumed but 250,000 as the amount to be put into cinnamon by Manila. The result would be that Manila either would not transport all that quantity to Nueva España, or would lose part of the profit on its shipment. The profits at Acapulco are not sufficient, on either class of commodities proposed by Cadiz, to yield the amount which is permitted to Manila as returns on its shipments. The spices can never be an equivalent (as Cadiz would claim) for the Chinese silks; for a tonelada of cinnamon, which space is occupied with only 600 libras, is worth at Manila 600 pesos, and a tonelada of silk goods is worth 4,000 pesos, if not more. The amount of cinnamon proposed by Cadiz would occupy $416\frac{2}{3}$ toneladas, and the ballast (on a galleon of 900 toneladas) 300 more; this would leave for the cotton stuffs, etc. (all of which are bulky goods) only $183\frac{1}{3}$ toneladas, with which it

would be impossible to complete the 250,000 pesos of investment allowed to Manila. But when they are allowed to carry Chinese silks, these are contained in 500 piezas, which occupy but $62\frac{1}{2}$ toneladas, each tonelada worth 4,000 pesos; and there remain to the shippers 3,500 piezas for the cheaper and bulky goods. The fiscal declares that even if the spices were an equivalent in value for the silk trade, the proposed commerce in them would be injurious to all parties concerned. "The losses to the royal exchequer would consist in the less value of the duties which the 250,000 libras of cinnamon would contribute [to it] in España than in Acapulco. For in that port they would amount, as the fiscal has been informed, to 21,944 pesos; and in Cadiz the import duties alone for the millon and alcavala pay 34 pesos a quintal of 100 libras, and, with those of export for the Indias (which, according to plan, are 20 pesos a quintal), would amount to 160,000 pesos. To this sum ought to be added at least 50 per cent for the greater value of money in Cadiz, where his Majesty will receive it [for the duties] immediately, than in the Indias; and with all these the royal exchequer will be defrauded to the extent of 218,056 pesos." The price of cinnamon will rise, when only the amount actually needed is sold; and this will be a burden on the general public. If the spice trade be limited to the Philippine merchants, there is nothing to hinder those of Mexico from "cornering" the market, and selling such quantities only as they please, at enormous prices; moreover, the failure of the annual shipment from Manila (which is possible in any year) would cause great scarcity of this product throughout the great kingdom of Nueva España, and this would be a serious injury to its citizens—"especially in an article

[like this], for the lack of which there is no equivalent which can make it good; nor is its expenditure limited by the variety of uses [to which it can be put], or by the frequent inconstancy of fashions, like other merchandise, but depends on a certain and assured consumption." This compulsory spice trade would injure Manila itself, not only for the reasons already cited, but because it is possible that the Dutch would refuse to sell the cinnamon to the Philippine shippers; and then, with the Chinese silks cut off from them, they would find it impossible to continue their commerce with Nueva España. In any case, the Dutch would have it in their power to demand whatever price they might choose to place on their commodities; and the interruption of that traffic for two or three years would not hurt the Dutch, for they could sell it to European traders and be sure of their profits; but the injurious effects of such proceeding would react on the Manila merchants, the people of Nueva España, and the income of the Spanish treasury. If at any time cinnamon should bring in Nueva España the enormous prices which Cadiz has previously quoted, that would not help Manila, since its returns are limited to 1,000,000 pesos; the unusual profits would only benefit the Mexican traders who had bought the spice by wholesale at Acapulco. The assertion of Cadiz that the Manila merchants gain on the cinnamon 150 per cent at Acapulco does not count, for it entirely ignores the costs and expenses which, as has been demonstrated, reduce their net gain to 50 per cent. For all these reasons, the fiscal declines to approve the proposals of Cadiz. In view of this reply, the Council agreed (November 16) to call for a summary view of the whole question, with all the documents concerned. At this point,

information was received from Cadiz that the fleet which had just arrived had brought a sack of cinnamon as a specimen of that which was produced in the Philippine Islands, and that the quality of this surpassed that of the cinnamon brought from the Dutch colonies. On January 21, 1736, the deputies from Filipinas presented a new but brief memorial, refuting some arguments by Cadiz in regard to the proposed substitution of the spice trade for that in silks, and for this purpose citing a royal decree of 1638 in their favor, which Cadiz had declared not to be in the *Recopilación* of the laws, and proving, by duly attested declarations, that the said decree existed in the Manila archives. At the end of these appears a final paragraph by Abreu, the compiler of the *Extracto*: "All that is thus far set forth is what up to the present time has been done and appears in the *Expediente* of the important and long-standing negotiation in regard to the commerce of Philipinas with Nueva España, according to the acts, royal decrees, memorials, and other documents furnished to us by the office of the secretary for Nueva España, in order that this Summary [*Extracto*] might be drawn up and arranged, in obedience to the order of the Council. The series of the proceedings in regard to the 'Equivalent'¹⁷ (which this 'Period x' comprises) remains, however, imperfect until they shall be concluded and ended by the advisory report of the Council and the decision of the king; but it seemed best not to wait for that, for the sake of facilitating, by this Summary, the more exact understanding of the gentlemen who are to express their opinions in regard to the 'Equivalent.' At Madrid, May 11, 1736."]

¹⁷ That is, the spice trade with Nueva España, offered by Cadiz to Manila as an equivalent for the latter's traffic in Chinese silks.

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APPENDIX: EDUCATION IN THE PHILIPPINES

- Letter from the ecclesiastical cabildo to Felipe III.
Juan de Bivero, and others; July 12, 1601.
- The college of San José. In two parts. I – Francisco Colin, S.J.; 1663. II – Summary of history compiled from various sources.
- The college and university of Santo Tomás. In three parts. I – Baltasar de Santa Cruz, O.P.; 1693. II – Cárlos III, March 7, 1785. III – Evarista Fernandez Arias, O.P.; July 2, 1885.
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TRANSLATIONS AND COMPILATIONS: These are all by James A. Robertson, except No. V, above, which is by Emma Helen Blair.

LETTER FROM THE ECCLESIASTICAL CABILDO TO FELIPE III

Sire:

Considering that your Majesty's great desire has always shown that these Filipinas Islands should increase in all things, and they may without doubt increase greatly for the service of God and that of your Majesty, if perchance your Majesty's ministers aid them by observing the royal decrees (for no more would be necessary); understanding also that some of those religious who come here would like to have your Majesty grant them favor by giving them a university in these islands,¹⁸ and authority to confer the degrees of bachelor, licentiate, and other degrees: we have considered that, the case having been well examined, this is not fitting, either for the service of your Majesty, or for the welfare and increase of this land. We believe that we shall give very clear and very apparent reasons for this. For if a religious order has the said university, never will the children and those born in this country have any advantage, nor will they advance any in letters. For, since it is a fact that virtue increases with reward, which is the honor, if the religious hold all the professorships,

¹⁸ This letter appears to have been directed against the Jesuits, who founded their college of San José in 1601, through the efforts of Diego Garcia, their visitor. See *post*.

the seculars will have no incentive which encourages them to rise and to study solidly. A professorship and the thought of being able to get one makes many study. Second, it would be a great pity and even a great cause of ruin for the country, if the children of its inhabitants did not have anything more to which to aspire than a benefice of Indians, or at most one single benefice which exists, of Spaniards, in all this archbishopric, namely, this curacy of Manila, and four or five others of Indians, which exist in all these islands. All of those benefices will be given by the bishops to their servants unless students are found here such that their conscience obliges them to favor such students. If the professorships should be given only to religious, no encouragement could be given to the children of the citizens here to study earnestly, at the most more than a little grammar. For that would be enough for them so that a benefice might be given them. Third, it is necessary for the religious orders themselves here, for the children of citizens to have the wherewithal with which to be encouraged to study, and to pretend to honorable and great things. For, by such people must the orders be fed and sustained. And it is fitting that those who should take the habit in them should have studied very well, and with honorable intention, and not that men of little mind and learning should enter the orders. Fourth, it is right that this metropolitan church of Manila and the other cathedrals of these islands should have men truly erudite who may enter them and hold their prebends. This is impossible to attain if all the seculars who enter them must be only students, and only scholars, and no one can be a master, or hold a professorship, and it is well known how unadvis-

able that is. It is right and necessary for the mother churches to have in their own body very eminent men, and no one is eminent ordinarily but those who have taught and held professorships. Fifth, the religious will be well able to teach theology and the arts, but canons and laws, which, particularly the canons, are also necessary for churches and for the community, cannot be taught by religious. And, in fact, the custom of the Catholic church has always been to leave in the universities, especially in those which are located in the capitals of notable provinces, as is that of this country, the door open to seculars and to religious, and to all, in order that they may compete for the professorships. This custom has always been observed by the Catholic sovereigns of Castilla, not only in Salamanca, Valladolid, and Alcalá, and in the other parts of España, but also in the Yndias. Considering these so forcible reasons, which are laid at your Majesty's feet, we petition that your Majesty do not allow a university to be conceded to a religious order, although any ask it, and that the secular estate be not so abased in these islands that we should be excluded from a thing which has always been so common and so peculiar to the seculars in the Church. And if, for the present, your Majesty should be pleased to commission some religious to lecture in arts and theology, we know that there are religious in these islands who are friends of sane doctrines, and hostile to all innovation, and zealous for the honor of God, who will attend to this ministry without it being necessary for them (nor do they wish it) to meddle in giving degrees, but who only wish to be useful and to teach. If your Majesty would be so pleased, we believe that it would be very suitable for

such persons to be appointed until there be more people to study, and that you be informed by the archbishop of this city, and should it appear fitting, by the governor together with him. Such appointees should not necessarily be of one order merely, but from those which the archbishop shall deem best, and your Majesty should order that very learned persons, and those inclined to simple doctrines be chosen. By so doing this will be fulfilled until such time that your Majesty shows us the grace of placing this in greater perfection and in such form that we seculars may have a place according to the merits of each one. May God preserve your Majesty many years, as is petitioned in this holy church ceaselessly. Manila, July twelve, one thousand six hundred and one. The vassals and chaplains of your Majesty.

DON JUAN DE BIVERO, dean of Manila.

ARCHDEACON ARELLANO

SANTIAGO DE CASTRO, chanter of Manila.

JUAN DE PAZ, canon.

DIEGO DE LEON, canon.

JUAN GALINDO DE MESAS

CRISTOVAL RAMIREZ DE CARTAGENA

PABLO RUIZ DE TALAVERA

CRISANTO DE TAMAYO

LORENÇO MARTINEZ PEÑAS

FRANCISCO DE CARRANÇA

[*On envelope*: "Manila, to his Majesty. 1601. The ecclesiastical cabildo. July 12."]

[*Endorsed*: "Read, July 2. Have it filed with the other papers."]

THE COLLEGE OF SAN JOSE

I

COLLEGE AND SEMINARY OF SAN JOSEPH

[The first part of this document is taken from the second half of chapter xviii, of book iii, pp. 414-418, of Colin's *Labor evangélica*.]¹⁹

353 [*i.e.*, 153]. A few months after the foundation of the congregation,²⁰ a beginning was given to the college and seminary of San Joseph, which was not less desired by the principal citizens of Manila than was the congregation. It had been discussed already before this, and Governor Don Luis Perez Dasmariñas had enacted, on the fifteenth of the month of August one thousand five hundred and ninety-five, an act in regard to it, in obedience to and in execu-

¹⁹ See also Colin's statement regarding the college for 1656, VOL. XXVIII, pp. 83, 84; and San Antonio's brief remarks on the college, in the same volume, pp. 134, 135.

²⁰ The congregation of the Virgin, which was promoted by the visitor, Diego Garcia. It was formed from six students on St. Francis's day, 1600. So many people soon joined that it became necessary to split the congregation into two parts, one of students and the other of laymen, the latter of which had one hundred members in two years. Their objects were charity and devotion. The first to initiate the congregations of the Virgin in the Jesuit order was Juan de León, a Flemish priest, who established the first in the Roman college in 1563, giving it the title of *Anunciada*. It was given papal approval in 1564. See Colin's *Labor evangélica*, pp. 411-413; and Pastells's *Colin*, ii, pp. 243-246.

tion of a royal decree of one thousand five hundred and eighty-five, in which his Majesty commands Doctor Santiago de Vera, his governor in these islands, or the person in whose charge should be their government, to ascertain in what manner a college and seminary, where the sons of the Spanish inhabitants of these islands, under the care and management of the fathers of the Society, can be instructed in virtue and letters, may be instituted. Although the act was given out from that time by the governor, at the advice of Doctor Don Antonio de Morga, lieutenant general and assessor of the governor, on account of difficulties which always exist in whatever depends on the royal treasury, that work was suspended until the arrival of the father visitor, Diego Garcia,²¹ with his ardent desire of putting into execution all the means for the service of God and the greater welfare of his neighbors. From the mountains of Antipolo, where he was, he charged Father Pedro Chirino, rector of the college of Manila, independently of the said act, to treat with Governor Don Francisco Tello, the auditors of the royal Audiencia (which had been reëstablished in these islands), and the two cabildos (ecclesiastical and secular), in regard to this matter.²² The father found them all not only kind but desirous of its execution, for some of them had sons or nephews without the necessary education, for lack of the college.

154. Having seen the readiness and desire of all, the father visitor ordered some houses near our college to be made ready for that purpose. He appointed Father Luis Gomez²³ rector of the future

²¹ See VOL. XI, p. 225, note 44.

²² See VOL. XIII, pp. 64-71.

²³ Luis Gomez, S.J., was born at Toledo, in 1569, and entered

college, and ordered him to choose some picked students as collegiates, and gowns and becas of the color now used to be prepared. He ordered the necessary licenses of the ordinary and of the secular government to be obtained; and that after they had been obtained, a beginning should really be made to the college and seminary with the fitting solemnity. It was to be named after San Joseph, on account of the special devotion that he had for that holy patriarch. The rector appointed exerted himself and, by virtue of his efforts, obtained the licenses from Governor Don Francisco Tello, and from the provisor judge and vicar-general of the archbishopric which was then vacant. Both licenses were dated August twenty-five, one thousand six hundred and one. Inasmuch as everything was now ready, a day was appointed for the erection of said college in due form. The governor and royal Audiencia, the provisor and vicar-general, some capitulars, the secular cabildo, the orders, and many others of the best people assembled in the chapel of the houses which had been prepared for the habitation and dwelling of the collegiates. Gowns and becas were given to Don Pedro de Tello, nephew of the governor; to Don Antonio de Morga, son of the senior auditor of that name; and other sons of the principal citizens up to the number of thirteen. Mass was celebrated by the archdeacon of the cathedral, Don Francisco Gomez de Arellano, who afterwards became dean. The new collegiates recited two prayers, one in Latin and the other in Spanish verses, in which with elegance, upon his novitiate in 1588. In 1598 he reached the Philippines, where he professed theology, and became rector of the college of San José, and afterwards of the college of Cebú and Antipolo. He died at Manila, March 1, 1627, or 1628, according to Murillo Velarde. See Sommervogel's *Bibliothèque*.

gravity, and in a pleasing manner, they declared the reason for the undertaking and the end of the new foundation, and the profit which could be promised to the community from it. They were received with general applause. Then many persons went through the house, and admired the neatness and fitness of the lodgings, beds, and desks, and the good order in everything. The number of the collegiates soon increased to twenty, which for a beginning and in a country so new and which professes rather the military and mercantile life than that of letters, was not to be esteemed lightly. After having made the foundation in the said form, the father visitor came to visit the new college, and with his presence, authority, and prudence, they attained great prestige. He gave the collegiates rules, and a method of living, proportionate to the profession of students. He made for them and for the rector and masters the necessary statutes, so that they might be kept in the future, as was done. By means of that in a few years students were seen to graduate from this college very advanced in letters and fit for offices and benefices; and others, sensible and devout, who, touched by God, entered the religious life.

155. The support of the collegiates during that time was obtained by themselves with a certain sum of money which each one of them gave, and which, administered by the procurator of the college, was sufficient for their sustenance and decent support. Some fixed income for the support of the rector and teachers, and succor for some students of quality and ability, who by the poverty of their parents could not meet their expenses with the sum which was charged, was greatly desired. Our Lord provided

that by means of the Christian and noble governor of Mindanao, Estevan Rodriguez de Figueroa, who (as we have remarked above) had already founded and endowed the principal college of the Society in Manila. Being so favorable to the good work, he, when making his will as he embarked in Oton for the conquest of Mindanao, in which he named his daughters as his heirs, in case of their death before they reached a competent age, made a pupillary substitution in favor of this college and seminary. He ordered that in such an event, the property of either one of his two daughters should pass to the Society of Manila for the purpose of building a house, and founding a college and seminary for the education of youth. That event happened, for the younger of his two daughters named Doña Juana died at a very tender age, being drowned with her uncle Andres Duarte, a "twenty-four" of Xerez, in the wreck of the ship "San Antonio." Therefore, by virtue of the clause of the will of the said governor, the college of San Joseph inherited the possession which belonged to it. With that property this college and seminary of San Joseph was instituted and founded anew with public ecclesiastical and secular authority, on February twenty-eight, one thousand six hundred and ten, as appears from the act of its foundation which reads as follows.

156. "In the city of Manila, February twenty-eight, one thousand six hundred and ten, in the college of the Society of Jesus of this said city, before the treasurer, Don Luis de Herrera Sandoval: the provisor and vicar-general of this archbishopric, apostolic commissary, subdelegate-general of the Holy Crusade in these islands, Father Gregorio Lo-

pez, provincial of the said college of the Society of Jesus, made a presentation of the acts contained in the four preliminary leaves of this book, signed by his name, and sealed with the seal of his office. That signature appears to be that of said father provincial. I, the present secretary, attest that I know him. He also presented the original licenses of the cantor, Santiago de Castro, former provisor and vicar-general of this archbishopric, and of Don Francisco Tello, former governor and captain-general of these islands, copies of which are inserted in these acts. Said licenses are for the foundation of the said college of San Joseph of this city of Manila, as is contained in them more minutely. I attest that I have seen said original licenses and that they are conserved in the archives of the said Society. One of them is countersigned by Geronimo de Alcaraz, former notary-public of this archbishopric, and the other by Gaspar de Acebo, former government secretary of these islands. The said father provincial declared that by virtue of the clause of the will of Captain Estevan Rodriguez de Figueroa, deceased, which is contained in the said acts, where he appears to be the patron of said college of San Joseph, he appointed and presented as collegiates of said college, Don Felipe de Figueroa, son of Don Lorenzo de Figueroa and Doña Ana de Salazar, his wife; Gabriel de Santillan, son of Captain Ventura de Santillan and Doña Flora de Aguilar, his wife; and Gabriel Venegas, son of Don Gonçalo Flores and Doña Juana Bautista, his wife: all inhabitants of this city, so that as such appointed collegiates they might be supported by the said income of the said college, according to the clause of its institution, as appears from the appointment above, which was

dated in this city on St. Bernard's day, August twenty of the former year, one thousand six hundred. Although the said appointment is valid, legal, and sufficient, as it was made by the patron whom the said testator appoints, for greater validity he declared that he again presented – and he did present – the said three collegiates above named. And for greater solemnity of this act, as it was the first, the said provisor and vicar-general begged that his judicial authority be interposed and renewed, and that the license of said Santiago de Castro, his predecessor, be confirmed. The said provisor and vicar-general, having also read the said acts and original licenses, declared that, so far as it concerns him, he approved – and he did approve – the appointment made of the said Don Felipe de Figueroa, Gabriel de Santillan, and Gabriel Venegas; and he declared that he confirmed – and he did confirm – the said license of the said Santiago de Castro, his predecessor, and said that he again gave it – and he did give it – for the college founded with an income. For that effect, for greater validity, the said father provincial, in the presence of the said provisor and of me, the said secretary, delivered the three said collegiates to Father Pedro de Velasco, appointed rector of the said college. The latter received them as said collegiates of said college, so that they might be supported by it. All the above was done in my presence, and that of the witnesses who were present, brothers Diego de Sarsuela, Juan de Larrea, and Martin de Lisarde of the said Society; and the said father provincial, the said provisor, and the said Father Pedro de Velasco affixed their signatures to it before me, Pedro de Roxas, secretary and notary-public.”

157. Before making this second institution of the

college, account had been given to his Majesty in his royal Council of the Indias, of the legacy and bequest of Governor Estevan Rodriguez, and the possession by the Society in Manila of the property of Doña Juana de Figueroa, and permission was petitioned to bring from Mexico to Manila the money belonging to the said bequest, since it had to serve for the foundation of the college for the public welfare and profit of the islands. His Majesty, considering himself as greatly served by it, had ordered his royal decree despatched in accordance with this. In order that one may see the esteem of the Council for that work, that decree faithfully copied from its original will be placed here. It is as follows.

158. "The King. Don Luis de Velasco, my viceroy, governor, and captain-general of Nueva-España, or the person or persons, in whose charge may be the government of that country: On the part of Diego Cordova, of the Society of Jesus, and its procurator of the Indias, I have been informed that Governor Estevan Rodriguez de Figueroa, when he went to accomplish the conquest of the island of Mindanao in the Filipinas, where his enemies killed him, made a will under whose disposition he died, by which, desiring that the youth [of Filipinas] be occupied in virtue, he ordered that if either of his daughters should die while a minor, a college seminary should be founded in the city of Manila with the portion of the inheritance which belonged to such deceased girl, so that the sons of inhabitants of the said islands might study therein; and he left as patron of it the provincial of the Society of Jesus of those islands. Inasmuch as the younger daughter has died while a minor, the possession of that inheri-

tance which fell to her was given to the said Society. Consequently, the said college seminary is to be founded in the said city of Manila with that inheritance. There is very great need of that college in that city for study, and for the rearing of ministers of the holy gospel. The property with which the said seminary is to be founded is in that city of Mexico, where it is advisable that it be placed at interest for its conservation and maintenance, inasmuch as there is nothing in which to invest it in the said islands. He petitions me that, in consideration of the great fruit which will be attained in those islands from that foundation, and in consideration of the many good services of said governor, I grant the concession of giving the license so that the proceeds from the property which is in that said city for the foundation and support of the said seminary, be allowed to pass thence to the said islands freely, notwithstanding the prohibition, with a sworn certification of the procurator of the said Society of Jesus of the said islands, to the effect that what thus passes is the gain or proceeds of the property of the said seminary, as there is nothing in the islands in which the said money can be invested as abovesaid. The members of my Council of the Assembly of the Indias having examined it, and having considered the abovesaid, I have considered it fitting to have this my decree issued. I command you thereby that, in each one of two years you allow to pass from that city to the said islands the sum which shall appear necessary to you for the said effect from the said property, if it does not exceed six hundred ducados; and that that sum be included in the quantity which I have given permission to be sent from that king-

dom to the said Filipinas Islands, notwithstanding any order to the contrary, which for this time and in regard to this matter I dispense with. The said two years you shall send me a minutely detailed account of the value of the said property, and the district where it is invested and in what, and the amount of the proceeds thereof each year, and what it is advisable to enact concerning the whole matter. That, with your opinion you shall send to the said my Council of the Assembly, so that after examining it the advisable measures may be taken. Given in Valladolid, September thirteen, one thousand six hundred and eight.

I THE KING

“By command of the king our sovereign:

JUAN RUIZ DE CONTRERAS”

159. After all this, it was necessary to have recourse the second and third time to the royal Council of the Indias, in regard to the collection of the remainder of the property of this foundation, which was in the royal treasury of Manila. His Majesty, with the appreciation and esteem which he always had for this work, protected it with the kindness which he generally exercises toward all those things which are for the service of God and the public welfare, and ordered his royal decrees despatched to the governors, Don Juan de Silva, May twenty-two, one thousand six hundred and fourteen, and Don Alonso Faxardo, December three, one thousand six hundred and eighteen, ordering the said sum to be paid for the purpose of the support of the collegiates, as was done. By virtue of those royal decrees and other papers which were presented during the suit of precedence which the college of Santo Thomas, of

the Order of Preachers of this city, began a while ago with San Joseph, the latter obtained a decision from the royal Audiencia in its favor, May sixteen, one thousand and forty-seven, by which it was protected in its priority and possession of precedence in the public acts to that of Santo Thomas. That same thing was confirmed afterward by the royal Council of the Indias, as appears from the suit and other authentic documents which are kept in the archives of San Joseph.

II

SUMMARY OF HISTORY

[The following brief summary is compiled from various authorities, full references being given in the footnotes throughout.]

Antonio Sedeño, writing to Felipe II, June 17, 1583, petitions for the establishment of a Jesuit seminary, and asks royal aid.²⁴

Felipe II, in a decree dated June 8, 1585, in view

²⁴ See VOL. XXXIV, pp. 366, 367. This refers rather to what became known afterward as the San Ignacio college than to the college of San José. Of the so-called Jesuit college of Manila, known as Colegio Máximo [*i.e.*, Chief college] de San Ignacio y el real de San José, *Archipiélago Filipino* says (i, p. 346): "In the seventeenth and eighteenth centuries there also existed in Manila the university directed by the fathers of the Society of Jesus, who had arrived in Filipinas for the first time in 1581. It was elevated to a pontifical institution by a bull of Gregory XV in 1621, and given the title of "royal" by royal decrees of Felipe IV the same year, and in 1653. It conferred degrees on the pupils of the colleges of San Ignacio and San José; and there was also in it, in addition to the school for reading and writing, two chairs of theology, one of philosophy, one of rhetoric and the Latin language, one of canons, another of civil law, and from 1740, one of mathematics. It existed until May 21, 1768, when the Jesuits were expelled from these islands by a royal decree of Carlos III, which placed the edifice and the furnishings at the disposal of the State." See also VOL. XXVIII, pp. 123, 131-134.

of the benefit that will result to the colony from aiding the Jesuits in instituting a college, and in aiding in the support of the religious who shall teach therein, orders Governor Santiago de Vera and Bishop Salazar to discuss measures for the founding of the same.²⁸

The above-mentioned royal decree was presented to Governor Luis Perez Dasmariñas, August 15, 1595. September 5, a government act was dictated accepting the petitions of the Society in regard to the foundation of a college, with the condition that 1,000 pesos be assigned to it, together with the royal title and arms. The governor has it noted in the said act that everything is only provisional, until the foundation of the college is discussed with the bishop, and the agreement adopted sent to his Majesty for his approval.²⁹

Rodriguez de Figueroa, on setting out for Oton for the conquest of Mindanao, made (March 16, 1596) his will in which he declares: "And inasmuch as, . . . some of the said my children may die before reaching the age necessary for making a will, it falls to me as their father and legitimate administrator, to make a will for them. In such case availing myself of the said faculty, I order and command that, if the abovesaid should happen during the lifetime of their mother, the said Doña Ana de Oseguera, the latter shall hold and inherit the goods and property of the one who shall thus die, and with both the third and the remainder of the fifth, shall be done what shall be stated hereinafter. If the said

²⁸ Original decree in Calderon's *El Colegio de San José* (Manila, 1900), appendix, document no. 1, pp. vii, viii.

²⁹ Nozaleda's *Colegio de S. José*, p. 43.

Dofia Ana Oseguera shall die, and the said my children, or either one of them without leaving any heir or descendant, then their property and their legal paternal and maternal portion, and the profit and income from it, shall be used to found a college in the manner hereinafter stated. The same must be founded, in case that said Dofia Ana de Oseguera is living, from the said third and remainder of the fifth. For if either one or the other of the two casualties occur, a house shall be built next the Society of Jesus, of the city of Manila, sufficient, and which shall be used, for a college and seminary for boys, where all those may enter who desire to study the first letters in such seminary. I request and charge the provincial, at such time, of the Society of Jesus, to take it under his care and to give to such boys sufficient teachers for it. That part of the said building that shall be unoccupied shall be rented, for the support of said children and youth. The said father provincial shall be patron and administrator of the said college."²⁷

In 1601, the Jesuits themselves founded a college, primarily through the efforts of Father Diego Garcia, who went to the Philippines as visitor in 1599. He ordered Father Pedro Chirino, independently of the act of Luis Perez Dasmariñas, to plan for the founding of a college for the Society. The first rector was Father Luis Gomez, who obtained the licenses of both ecclesiastical and civil authori-

²⁷ See this will in Pastells's *Colin*, ii, pp. 483, 484, note; Nozaleda's *Colegio de S. José*, appendix, document no. 1, pp. iii-v; and *Senate Document*, no. 190, 56th Congress, 2d session, p. 29. The portion of this document (pp. 26-46) treating of San José college has been reprinted in pamphlet form under the name *San José College Case*.

ties, August 25 of that year. The cantor, Santiago de Castro, provisor and vicar-general of the archbishopric of Manila, acting in vacant see, in view of the petition presented by Father Gomez, grants "license to said religious of the Society of Jesus, and to the said Father Luis Gomez, to found said college of San José." Governor Francisco Tello, on the same date, grants the civil license for the erection of the college in view of Gomez's petition, the erection being for the rearing "in virtue and letters of some Spanish youth, in view of the necessity of training ministers of the gospel of whom there is a lack in this land for the need of said college."²⁸ The new college was instituted with thirteen collegiates, and one father and one brother of the Society who were placed at its head to look after the spiritual and economic managements respectively.

October 30, 1604, a royal decree was despatched, which was received by the royal Audiencia at Manila, July 10, 1606, ordering "information in regard to the plan that could be inaugurated for the exercise of letters in these islands, and the lecturing by some professors without there being any university." The Audiencia in its reply states the death by shipwreck of the younger daughter of Rodriguez de Figueroa (1605), and that the Society of Jesus had entered suit for her estate, in accordance with the will of her father, and that they had been given possession of it.²⁹ Since a considerable part of Rodriguez de Figueroa's goods were in Mexico, and since

²⁸ Nozaleda's *Colegio de S. José*, p. 44, and appendix, document no. 2, pp. v, vi; and Pastells's *Colin*, ii, pp. 482, 483, note.

²⁹ Pastells's *Colin*, ii, p. 253, note; Nozaleda's *Colegio de S. José*, p. 45; and *Senate Document*, no. 190, pp. 29, 30.

there was a royal prohibition forbidding money to be transferred from one territory to another, the Jesuits requested from the king, through their procurator at Madrid, permission to transfer the necessary money from Mexico to the islands, in order to found the college. Three royal decrees were issued in accordance with this petition, two asking for reports from the archbishop and Audiencia, and one (September 13, 1608)³⁰ granting permission for the founding of a college and seminary in the city of Manila. By the beginning of 1610, the Jesuits realized the terms of the will of Rodriguez de Figueroa, and on February 28 of that year, the licenses, given formerly to Luis Gomez in 1601, were confirmed by the provisor for the college now founded with an income.³¹

In a letter to the Jesuit general, June 11, 1611, Father Gregorio Lopez writes of the flourishing condition of the college and seminary of San José. He says: "In the seminary of San Joseph, our pupils are reared with the virtue of which advice was given in former years. Some are inclined to our rule, and others to that of the other orders. Three have embraced that of the Order of St. Augustine. The seminary has been improved this year with a fine new refectory built of stone, with a very large hall for the lodging of the collegiates, and the work which will be one of the best in the city, is progressing." Diego Vázquez de Mercado, archbishop of Manila, insists on the idea of the foundation of the university, which was undervalued by Felipe III,

³⁰ This decree is given by Colin; see *ante*, pp. 108-110.

³¹ See this confirmation, *ante*, pp. 105-107; see also Pastells's *Colin*, ii, pp. 482, 483, 486; and *Senate Document*, no. 190, p. 30.

after the unfavorable report of Benavides, and in a letter of June 24, 1612, to the king, praises the work of the college and asks that graduates therefrom in arts and theology be granted degrees. Archbishop Garcia Serrano writes to Felipe IV, July 25, 1621, regarding the colleges of San José and Santo Tomás: "There are two colleges for students in the city, one founded by Captain Estevan Rodriguez de Figueroa, which is in charge of the fathers of the Society of Jesus, whence the collegiates go to the college of the same Society, which is near by, to hear lectures in grammar, philosophy, and scholastic and moral theology. It has twenty collegiates with the beca at present, some of whom pay for their tuition, while others are aided by charity, as the income derived from the founder serves now to support but few because it was spent in building said college. The other college is called Santo Tomas de Aquino and is in charge of the Order of St. Dominic, and is very near their convent. It is not more than two years since collegiates entered it. It was founded with alms of deceased persons and others given by the living which the fathers have procured. It also has some income, and it is making progress. It has also twenty collegiates with the beca, some of whom also pay for their tuition, while others are supported by charity and by other persons. They study grammar, philosophy, and theology in the said college, where they have a rector and masters of the Order of St. Dominic. These two colleges greatly ennoble the city, and the sons of the inhabitants of these islands are being reared therein in civilization, virtue, and good letters. It will be of the highest importance for their progress for your Majesty to honor them by

giving them license to grant degrees in the courses taught in them." Another letter from Serrano, July 30 of the same year, notes that the secular priests have increased so greatly in his archbishopric because of the number that have graduated from the college and seminary of the Jesuits that he has not places for them and they suffer great poverty. The same is true of those who have studied in the college of Santo Tomás. In a letter of August 15, 1624, he notes that the college of San José has obtained the right to grant university degrees, by a papal brief, without the necessity of the graduates going to other universities, and petitions that the rector be allowed to grant the degrees in person. In 1627, Pedro Chirino was dean of the law faculty of the university.³²

A document of June 18, 1636, shows the college of San José to possess incomes from various houses, aggregating 14,000 pesos.³³ In 1640 the college was able to support 40 collegiates, and was in a flourishing condition.³⁴ That same year the short-lived royal college of San Felipe de Austria was founded.³⁵ The earthquake of 1645 caused great losses to the college of San José, as much of its capital consisted of houses which were destroyed.³⁶

The Dominican college of Santo Tomás, formally founded in 1619, with the alms left by Archbishop Benavides and others, was the second college founded in the Philippines. October 25, 1645, however, the

³² Pastells's *Colin*, ii, pp. 254, 255, note.

³³ Pastells's *Colin*, ii, p. 487.

³⁴ Nozaleda's *Colegio de San José*, p. 46.

³⁵ See *post*, pp. 170-181.

³⁶ Nozaleda, *ut supra*, pp. 48, 49.

Dominicans entered suit against the Jesuits declaring the precedence of their institution over the latter in all public acts in which the said institutions participated.³⁷ Governor Fajardo, before whom the suit was brought, remitted the cause to the royal Audiencia, which rendered a verdict in favor of the Jesuits, May 10, 1647, declaring that all public acts of the college of San José had precedence over those of Santo Tomás, as the former had been founded over eighteen years earlier. This sentence was confirmed in review, July 29 of the same year, and again by the royal Council of the Indias, August 12, 1652, on examination, and again on review, November 25 of the same year. The college of Santo Tomás, being dissatisfied with the decision, endeavored to take precedence in certain public acts, but with no real effect.³⁸

A royal decree of June 12, 1665, conceded the sum of 8,000 pesos to the college of San José; and another, issued July 27, 1669, granted the further sum of 12,000 pesos. The reason advanced by the petitions for the grants was the many losses sustained because of the earthquakes during the period from 1645 to 1658.³⁹ The Jesuits made many requests for royal alms for their Society and college; and many royal decrees were issued granting such alms, both of money and rice.⁴⁰

November 22, 1666, Don José Cabral, a Spaniard born in the Philippines, died bishop elect of Camarines, and left a pious bequest of certain lands called

³⁷ See also Concepción's *Historia*, vi, pp. 282-293.

³⁸ Pastells's *Colin*, ii, pp. 494-496.

³⁹ Nozaleda's *Colegio de San José*, pp. 49, 50.

⁴⁰ See Pastells's *Colin*, iii, pp. 759-763.

later the estate of Liang, to the college, on condition that a chaplaincy be maintained thereby, and that an annual alms be given of ten pesos each to the church of Balayan and to the poor of its district.⁴¹

A decree issued by Governor Fausto Cruzat y Gongora, September 22, 1695, recites the two royal alms above-mentioned, which had been assigned from tributes of vacant natives. In response to a petition by Father Juan de Montemayor, S.J., that 1,000 pesos be given the college annually until the 20,000 pesos be paid in full, he assigned to the said college 383½ tributes from the encomienda of Tubig, Sulat, and Pamboan, in the province of Leyte, "so that there may be paid annually, five hundred and thirty-three pesos four tomins one grano . . . on account of the eighteen thousand six hundred and eleven pesos six tomins which are still to be paid of the twenty thousand pesos."⁴²

A royal decree of May 3, 1722, grants the title of "royal *ad honorem*" to the college of San José. This decree is as follows:

"Inasmuch as Augustin Soler of the Society of Jesus, procurator-general for his province of Filipinas, has represented to me that his province has charge in the city of Manila of a seminary of grammar, philosophical and theological collegiates, under the advocacy of St. Joseph, which was founded by Don Esteban Rodriguez de Figueroa, adelantado of Mindanao, which by its antiquity and royal writ of King Don Felipe IV enjoys precedence in all public functions to the other colleges; and inasmuch as in consideration of the notoriety in that community

⁴¹ Nozaleda's *Colegio de San José*, p. 53.

⁴² Nozaleda, *ut supra*, appendix, document no. 6, pp. xi, xii.

of the great profit which has followed and is experienced in the said college, in virtue and letters from the many erudite men who have graduated from it to maintain the luster of the cathedral church of that city and the other churches of their islands, the greater part of those who today obtain their prebends being among those who have been raised and have prosecuted their studies in the above-mentioned college, he petitioned me, in consideration of the above-said and so that its collegiates may have the greatest application in said studies with the luster, esteem, and credit that is due because of the particular blessing which results to that community in general, to deign to receive it under my royal protection, by conceding it the title, privileges, and preëminences of royal college, without any burden on my royal treasury, with the permission to place on its doors and the other accustomed places, my royal arms, and to make use of the title of such in the instruments which it presents, and the letters which it writes to me: therefore, this matter having been examined in my assembly Council of the Indias, together with what was declared thereon by my fiscal, I have considered it fitting to condescend to [heed] his instance, receiving (as by the present I do receive and admit) the above-named college of San José under my royal protection. I honor it with the title of Royal *ad honorem*, in case that it has no patrons, and with the express conditions that it never has any, and that it cannot produce any effect of burden on or embarrassment to my royal treasury by reason of this title. Therefore, I order my present or future governor and captain-general of the above-mentioned Filipinas Islands and my royal Audiencia of the city of

Manila, and the other ministers and justices of that jurisdiction, and I beseech and charge the archbishop of the metropolitan church of said city, and the ecclesiastical cabildo of it, not to place or allow to be placed now or in any time any obstacle or hindrance to the above-mentioned college of San José, which is in charge of the religious of the Society of Jesus, in the grace which I concede it of the title of royal *ad honorem*, in the above-mentioned sense, and that as such it may place my royal arms on its doors, and the other accustomed places, and that in all its instruments and letters which it may write me, both through my councils, tribunals, and ministers, and in all that which may arise, it may make use of the abovesaid title of royal. Such is my will. Given at Aranjuez, May three, one thousand seven hundred and twenty-two.⁴³

I THE KING

“By order of the king our sovereign:

ANDRÉS ALCOROBARRATIA GULPIDE”

This decree was presented in the Manila Audiencia, in 1723.⁴⁴

In 1734 the college was granted the right to teach canonical and Roman law, the same as the university of Santo Tomás, although it seems that no decrees were given in those branches.⁴⁵

Father Francisco Mendez, S.J., in a document of

⁴³ This decree is taken from Nozaleda's *Colegio de San José*, appendix, document no. 7, pp. xii, xiii. It is also given by Pastells in his *Colin*, ii, pp. 496, 497.

⁴⁴ Pastells's *Colin*, ii, p. 496.

⁴⁵ *Census of Philippines*, iii, p. 610, an extract from the report submitted by the Dominican friars at the exposition of Amsterdam, 1883.

August 15, 1742, enumerates the fellowships in the college of San José, in addition to the eight of the foundation, as follows: one given by Captain Gonzalo Araujo, alguacil-mayor of Manila, to be enjoyed by a Galician or the descendant of Galicians; one by Benito Lopez, for an European; two by Captain Diego Gonzales de los Arcos, one of them being for Estremadura and the other for creoles and virtuous persons—the appointment of the latter belonging to the Santa Misericordia, which afterward became the object of a suit between the Jesuits and the Santa Misericordia, and finally settled by Archbishop Camacho; one by several benefactors for a pure-blooded and virtuous Spaniard. All the capital or endowment of these fellowships was incorporated in the property of the college, except the one appointed by the Santa Misericordia. There were also two other fellowships founded in 1717 (although only made effective in 1720), by Domingo de Valencia, bishop-elect of Nueva Cáceres, who endowed them with some shops which he owned in the Parián; they were intended for Spanish creoles born in Manila. Besides the above there were nineteen other fellowships which were known as fellowships of grace, “because there is no legal obligation to maintain them, and it was a grace or favor of our Society to institute them, to facilitate the good education of youth.”⁴⁶

In his royal decree of April 2, 1767, Carlos III declared: “I have resolved to order the expulsion from all my domains of España and the Indias and the Filipinas Islands, of the regulars of the Society, both priests and coadjutors, or lay-brethren, who

⁴⁶ Pastells's *Colin*, ii, pp. 491, 492.

have taken the first vows, and the novices who desire to follow their example, and that all the temporal possessions of the Society in my domains be seized."⁴⁷ A decree couched in like terms was received in Manila, May 21, 1768. Governor José Raon affected to obey the decree and appointed commissioners to carry it into effect, but he imparted the mandates of the decree, which was secret, to the Jesuits.⁴⁸ In consequence heavy charges were afterward brought against him.

The college of San José and its estates were seized and confiscated to the crown.⁴⁹ The college buildings were converted into barracks. Against this confiscation, the archbishop protested, and petitioned the governor-general that, pending the king's action on the protest, the college be turned over to him. The petition being granted, the archbishop took possession of the college, and converted it into a seminary for the education and instruction of the native clergy.⁵⁰ He ordered the former collegiates to leave,

⁴⁷ Montero y Vidal, ii, p. 163.

⁴⁸ Montero y Vidal, *ut supra*, p. 185; Nozaleda's *Colegio de San José*, pp. 53, 54.

⁴⁹ Nozaleda, appendix, document no. 9, pp. xiv, xv; and *Senate Document*, no. 190, p. 30.

⁵⁰ A document in the Archivo-historico Nacional, Madrid, bearing pressmark, A. 18-26-8, from the archbishop of the Philippines, Basilio Sancho de Santa Justa y Santa Rufina, dated Manila, January 1, 1770, is as follows: "Sire: Although I have recounted to your Majesty *in extenso* the measures which I have considered most suitable for the erection of a general conciliar seminary for all these most excellent islanders, and of such seminary being in the college called San Joseph which was under the charge of the now expelled Jesuits, provided that I could incline the superior government of these islands to allow me to go ahead with it, until your Majesty ordered otherwise; and although hitherto seventy and more seminarists have been supported in this college, which is elevated to a seminary *ad interim*, who are being reared and

and placed the new seminary in charge of the Piarist fathers [*padres escolapios*].⁵¹ The Audiencia of Manila protested against this action of the archbishop.⁵² The royal answer to their letter is as follows:

instructed according to the rules of the holy councils and sacred canons for the exercise of the parish ministry, in addition to the not small number of those who have already gone forth from it to occupy themselves in that ministry, with manifest profit even in the short space of two years since its creation: yet although today, according to the new measures and plan approved by your Majesty for the fortification of this place, it is indispensable to demolish, if not entirely, yet in a very considerable part, the above-mentioned college, since its location is next the walls and in a district where, as it is more suitable and better defended, the principal gate of this city is to be opened; and in order that there may be an open and free passage to it, as it is the place of most traffic and trade, nothing else can be done than to level the site occupied by the said college. On this account, the grace which I have implored from your Majesty will be frustrated. In consideration of this, I have recourse a second time to the charity of your Majesty, and humbly petition, that since the college called San Ygnacio is left alone in this city, which belonged also to the above-mentioned expelled ones, that your Majesty will deign to admit my first petition as it was directed for this end; or should it, perchance, be your royal pleasure that the said college of San Ygnacio become a public university, which has been, until the present, maintained in the college of Santo Thomas, under the direction of the religious of Santo Domingo, those religious passing to the college of San Ygnacio because of its greater size and its better arrangement for a public university, and that of Santo Thomas be used as a conciliar seminary. The consideration that the college of Santo Thomas, besides being suitable for a seminary, is almost at the very doors of this holy church, and, consequently, best suited for the assistance of the seminarists at the choir and functions of the altar, moves me to this petition. May God our Lord preserve the holy Catholic person of your Majesty the many years that I petition, and that Christendom finds necessary."

⁵¹ The Order of the Piarists or Fathers of the Pious Schools, was founded in 1597 by San José de Calasanz. Their schools resemble those of the Jesuits, and many of the latter entered the Piarist order on the suppression of the Society of Jesus. See also VOL. XLVI, note 49.

⁵² Nozaleda, *ut supra*, p. 55; and *Senate Document*, no. 190, p. 31.

"The King. President and auditors of my royal Audiencia of the Philipinas Islands, which is established in the city of Manila: In a letter dated July twelve, of the year one thousand seven hundred and sixty-nine, you informed me, with testimony, that having noted that the four Piarist religious whom the present right reverend archbishop of that metropolitan church took in his company, did not present the licenses which they carried in order that they might go to those islands, and that they were entering various posts outside the assistancy in the said archbishop's house; and in consideration of the fact that they had no other house in those islands, and that there was no distinction among them which could prove that they had a prelate: you deemed it advisable to proceed to the observation of the laws in such cases. You petitioned, by means of political and judicial measures, that the purpose of those religious be investigated, and the amphibological replies of the above-mentioned archbishop could not quiet your anxiety, but the rather increased it, so that you proceeded to the remonstrances which you made to the governor, in regard to his having delivered the royal college of San Joséph, which was under the charge of the expelled regulars of the Society, to Father Martin de San Antonio, abbot of the Piarist fathers, and the reported rector of the seminary of the archbishop, so that those who intended to become ordained might live therein, and be instructed in ethics, also under the direction of the said Father Martin. You declared that from your remonstrances to the above-mentioned governor, could be recognized the wrongs which resulted from that measure, which was quite contrary to what was ordered in the instructions for the banishment of the above-

mentioned regulars of the Society, and contrary to the right which those then living in the college had legally acquired of maintaining themselves therein, as well as those who should succeed them in the future, without it being possible to make a pretext of any innovation because of the lack of teachers. For there would be no lack of seculars to substitute for the present, and in time, persons worthy to maintain this praiseworthy foundation could be trained. Finally, not having any information regarding the reasons that moved the governor to this (apparently) strange resolution, you were unable to conform to it or pass it by without taking any notice of it, and alone having observed your first obligation, namely, to report to me what you were discussing as advisable to my royal service and the welfare of my vassals, you represented what had occurred, so that after having examined the matter, I might deign to determine what is most fitting to my royal pleasure. The abovesaid was examined in my Council of the Indias, together with what was reported by Don Pedro Calderon Enriquez, togated lawyer of the said my Council, regarding it, of the antecedents of the matter, and of what was reported at the same time in regard to it, with their respective testimonies, by the former governor and captain-general of those islands, Don Joseph Raon, and the above-mentioned archbishop, in letters from March twelve to July twenty-nine of the above-cited year one thousand seven hundred and sixty-nine, my fiscal made his statement; and consulted with me in regard to it on September thirteen of last year, with consideration of the indiscretion with which the above-mentioned governor, Don Joseph Raon, transgressed by placing

the royal college of San Joséph of that city under the direction of Father Martín de San Antonio, the abbot of the Piarists, thus rendering it necessary for those who obtained their becas to leave the college, and abandon them, and the manner in which you opposed the previously-noted spoliation, as a matter contrary to my royal intentions and the product of most grave wrongs and pernicious consequences, as is shown in the fact that the above-mentioned college was founded for the purpose of teaching therein grammar, philosophy, and theology to the children of the principal Spanish persons and subjects of that city. Twenty becas were created therein for a like number of collegiates, and the teaching of the same and their direction was given to the expelled regulars of the Society. The king, my father, deigned to receive it under his sovereign protection, May three, of the year one thousand seven hundred and twenty-two, and decorate it with the title of 'Royal *ad honorem*,' provided that it should have no other patrons, and under the express condition that it never should have such, or be able to cause any burden or embarrassment to my royal exchequer. The above-mentioned order of the Society did not have therein other right than the above-mentioned direction and government. Consequently, since the royal decree of July nine, one thousand six hundred and sixty-nine, which was inserted in the decree of April five of the above-mentioned year one thousand seven hundred and seventy, by which the collection of the measures in regard to the seizure of the temporalities of the said expelled regulars was sent to those my dominions of America, ordered that there be no innovation in the colleges or secular houses whose direc-

tion and instruction were entrusted to them, as is proved by section thirty of the first decree, the collegiates of the college of San Joséph could not be despoiled of their becas in order to expel them from the college, nor could the Trent seminary be removed to the above-mentioned house, without directly violating the orders of the above-mentioned decrees. To the abovesaid is added that the above-mentioned four Piarist religious went to those islands with no other purpose than to act as attendants of the above-mentioned archbishop, whence is inferred the just motive which you had in advising the said prelate to keep them in his company; in expressing wonder that one of them should be entrusted with the direction of the above-mentioned royal college of San Joseph; in advising Governor Don Joseph Raon of the illegality of the abovesaid act, and of the fatal results which were accessory to that of the expulsion of those who had obtained their becas; and in resolving that my royal mind be instructed in regard to the abovesaid measures so that I might deign to take those measures which should appear most desirable to me for their remedy. Consequently, not only is there not found in your operations the slightest motive that justifies the complaint which the above-mentioned archbishop has brought forward in his said letter, but, on the contrary, it is to be noted that you did no other thing in whatever you performed, than to comply with the mandates of the laws. The said governor and the above-mentioned prelate, not being able to ignore the fact of the existence of the above-mentioned college, and of the solemnity with which it had been founded, it became very worthy of attention that in their reports

they were silent in regard to this foundation, both commendable and made by the above-mentioned king, my father, and with his royal name, and transgressed in founding a new college seminary with Indian collegiates, without authority or obligation to do so. That is still more aggravated by the fact of the spoliation of the Spanish collegiates of their possession of the said college of San Joseph by erecting in it what they call a seminary for Indians, since for these and the Sangley mestizos there is the above-mentioned college of San Juan de Letran, and the conciliar seminary was already founded. By such violent spoliation, not only were the collegiates outraged, but also the inhabitants of that city exasperated, so that with such acts of despotism they hate to live there, and the islands are being depopulated of Spaniards, as is happening. Under these circumstances and inasmuch as the above-mentioned college of San Joseph has nothing in common with the expelled regulars, as the latter had only the administration and direction of the college, and this having ceased with their expulsion, the above-mentioned governor ought to appoint a secular of good morals from those who shall have been collegiates in the said college, as such will be already instructed as to its government, as rector and administrator, with obligation of rendering a yearly report. He must not allow the archbishop to meddle with anything pertaining to the said college, as it is under my royal protection, and, consequently, wholly independent of the ecclesiastical ordinary, as are the other pious foundations mentioned by the Council of Trent. The governor ought not to permit the archbishop to meddle in anything concerning the seminary, as

there is also a royal foundation, namely, that of San Phelipe, which appears to have been incorporated after the above-mentioned San Joseph; and the good relations that the governor claims to have with the archbishop can not serve to relieve the former of blame, for he ought to have good relations with him within suitable limits, and not with total abandonment of the rights which are entrusted to him. I have resolved, by virtue of what is contrary to my royal intentions, as is the above-mentioned spoliation and expulsion, not to pay any heed to the complaint of the said prelate; to approve whatever you have done in the particular under discussion; to order and command the present governor and captain-general of those islands, and to charge the said archbishop (as is done by despatches of this date) that they shall in the future leave things in the condition and state in which they existed before the above-mentioned innovations were made, and that the collegiates must go to take their studies to the university of Santo Tomás of that city; and to inform you thereof (as I do) for your intelligence. Thus is my will. Given in El Pardo, March twenty-one, one thousand seven hundred and seventy-one.

I THE KING

"By order of our king:

PEDRO GARCIA MAYORAL"⁵³

The royal decree sent to the archbishop on the same date,⁵⁴ is couched in similar terms to the above decree, and disapproves the action of the archbishop

⁵³ Calderon's *Colegio de San José*, appendix, document no. 3, pp. ix-xiii.

⁵⁴ Nozaleda's *Colegio de San José*, appendix, document no. 10, pp. xv-xix.

in regard to making an ecclesiastical seminary out of the college of San José. The decree in its opening clauses, notes that the archbishop had sent various documents and reports to the king with his letter of March 12, 1769, which state what had been done in regard to the college of San José, and the occupations of the four Piarists who had accompanied the archbishop to the Philippines.

In 1777, Doctor Ignacio de Salazar, magistral of the Manila cathedral, was chosen rector and administrator of the college. From that date until 1879, the position of rector and administrator of the college was always confirmed by the governors-general to the dean or other dignitary of the Manila cathedral. Accounts of the administration of the college were to be rendered every three years, or annually. The management of the college was not successful, and the administration of the properties was negligent and possibly corrupt during some years. The field of secondary education which it had attempted to fill came to be occupied by newer and more successful institutions, such as the Ateneo Municipal and the college of San Juan de Letran.⁵⁵

From the books of the university of Santo Tomás, it seems that a few years after the expulsion of the Jesuits, if not immediately, instruction on philosophy and the natural sciences was resumed, and that two professors were appointed for that purpose, and that in 1795 the government of the islands recommended the abolition of such instruction, applying the revenues therefrom to the payment of the fees of the

⁵⁵ Nozaleda, *ut supra*, pp. 61, 62; and *Senate Document*, no. 190, pp. 31, 32.

institutes and law courses, which recommendation was not carried out on account of an unfavorable report of the faculty of the university. Only grammar and philosophy were taught until 1866, and pupils were required to pass an examination in the university of Santo Tomás before two professors appointed for the purpose, in order to legalize their courses. The first four years of secondary instruction were established at this period.⁵⁶

Between the years 1860 and 1870, the question of the conversion of the college into a professional school of some sort — arts, agriculture, or medicine — was much discussed, particularly its conversion into a school of medicine and pharmacy. Finally, in 1867, a board consisting of the rectors of the university, Ateneo Municipal, and college of San José, and one representative each of the professions of medicine and pharmacy, was convened by royal order, and charged with the duty of ascertaining the origin and object of the college of San José, its revenues and pious charges, and the best manner of installing therein classes of medicine and pharmacy. The report of the committee was to the effect that such studies could be admitted. The rector and administrator of the college in 1869 was of the same opinion, and the rector of the university of Santo Tomás also considered such a thing legal. November 6, 1870, the Spanish government adopted the decrees concerning education in the Philippines, known as the Moret decrees,⁵⁷ by which the attempt was made to secularize most of the institutions of learning. Among other provisions in these decrees was one

⁵⁶ *Census of Philippines*, iii, pp. 610, 611.

⁵⁷ See *post*, pp. 163-165, note 81.

directing that the college of San José, the college of San Juan de Letran, and the Ateneo Municipal, as well as the naval academy and the drawing and painting academy should be united in one academy for secondary and entirely secular education to be known as the Philippine Institute, to be subject to the ultimate control of a Superior Board of Education which was civil and secular in its character. These decrees were never enforced, for they were vigorously opposed by those in charge of the above institutions.⁵⁸

In 1875, a royal provision established the faculty of medicine and pharmacy in the college.⁵⁹ This decree, issued October 29, 1875, reorganized the university of Santo Tomás. Article 2 of the decree prescribed "that in this university shall be given the necessary studies for the following: jurisprudence, canon, medicine, pharmacy, and notary;" and article 12, that, "the branches of medicine and pharmacy, although constituting an integral part of the university, shall be taught in the college of San José, whose revenues, with the deductions of the amounts for pious charges, will be devoted to the expenses of these branches."⁶⁰ The five-sixths part of the fees

⁵⁸ *Senate Document*, no. 190, p. 32, and Montero y Vidal, iii, pp. 542-547.

⁵⁹ *Census of Philippines*, iii, p. 611.

⁶⁰ James A. LeRoy writing in the *Political Science Quarterly* (p. 674) for December, 1903, says: "The Dominicans promised to devote the income of this endowment [*i.e.*, of San José college] to courses in medicine and pharmacy, never before taught in the islands. In a report on the medical college made to the American authorities last year, a German physician of Manila stated that it had no library worth considering, that some textbooks dated back to 1845, that no female cadaver had ever been dissected and the anatomy course was a farce, that most graduates never had attended even one case of confinement or seen a laparotomy, and

from the registration of these subjects, and half of the fees for degrees, titles, and certificates of the pupils, will also pertain to the college mentioned. The rest will pertain to the general expenses of the university." The governor was to name a director, upon the recommendation of the rector, for the college, and he was to have charge of the revenues. September 5, 1877, a commission appointed to consider various matters of the college of San José, recommended that the university of Santo Tomás take immediate charge of all the property of the college, and that regulations be drawn up for the management of the same. On September 28, of the same year, the governor-general decreed that an administrative commission consisting of the rector of the university and the professor of pharmacy should take charge of the college, and they were given complete authority to carry out the reorganization of the college decreed in 1875. The report of the commission submitted July 26, 1878, recommended that the office of director-administrator be made two separate offices, the office of director to be filled by the rector of the university of Santo Tomás, as director ex-officio, and that of administrator to be appointed by the governor-general upon the recommendation of the rector of the university of three names to be taken from the professions of medicine and pharmacy. This report was approved August 1 by a decree of the governor-general, which was in turn approved by royal order of March 24, 1880. The decree of August 1, 1878, charged the rector of the university to prepare regulations concerning the that bacteriology had been introduced only since American occupation and was still taught without microscopes."

control and management of the college; and it appears that such regulations were issued by the governor-general, October 15, 1879, title 2 of which gives to the rector of the university, as ex-officio director, the control of properties and finances of the college. It is said that articles 6-10 of the decree of 1875, which directed that competitive examinations be held either at Manila or Madrid for the filling of vacant professorships, have not been observed, such vacancies having been filled by the governor-general on the recommendation of the rector. The administration of the college properties was kept separate from those of the university, although the accounts were both under the same direction of the rector of the university. The scholarships or fellowships of the college, before twenty in number, were reduced after 1875 to three and transferred to another institution. The income in normal times was about twenty thousand pesos, the foundation seemingly being about one-half million in gold.⁴¹

With the signing of the treaty of Paris, December 10, 1898, the American government found itself face to face with a delicate and difficult problem, namely, that of the settlement of the properties of the friars. Of this problem, the question of the ultimate disposal of the college of San José was properly a part, since it was under the direction of the Dominican university of Santo Tomás, it having become, as we have seen above, the medical and pharmaceutical adjunct of the university. The question to be solved in this case narrowed down to whether the college of San José was primarily a government or an ecclesiasti-

⁴¹ Calderon's *Colegio de San José*, appendix, p. vi; and *Senate Document*, p. 34.

cal pious foundation [*obra pia*], and hence, whether it could be legally administered by the government or the Church. In 1899, General Otis forbade the rector of the university of Santo Tomás to continue to maintain a school of medicine and pharmacy in the buildings of the college of San José, and to use its name and income for that purpose – an order made at the instance of the president and directors of the Philippine Medical Association. Shortly after their arrival the commissioners were consulted by General McArthur, as to the proper course for him to take on the petition of the rector of the university asking him to rescind the order. As the issue involved the question of the control of Church property, the commission deemed it its duty to investigate it and to bring it to a legal settlement.⁶²

The matter was therefore argued before the Commission, pro and con, from time to time between July and October, 1900, and the conclusions announced January 5, 1901. The ecclesiastical authorities took the position that the college is "truly an *obra pia*, that its trusteeship has always been vested in the Church, as represented by its legal agents either through the Society of Jesus, the kings of Spain as ecclesiastical patron, the clergy of the cathedral, or the university of Santo Tomás, under the direction of the archbishop." The ecclesiastical argument is that the college "is essentially a religious foundation and therefore the United States have not the right to claim it as public property nor to intervene in its management, since they cannot succeed to the Spanish ecclesiastical patronage, they having proclaimed the separation of Church and State." It

⁶² *Senate Document*, no. 190, pp. 27, 28.

is impossible also for the state to secularize the institution, an act which would be paramount to confiscation.⁶³ Archbishop Nozaleda argues also that the college "is an ecclesiastical *obra pia*, founded by Esteban Rodriguez de Figueroa, with all the canonical and civil formalities demanded by the legislation in force at that time for such foundation."⁶⁴ Again, he says: "The college of San José is an ecclesiastical *obra pia*, and as such belongs to the patrimony of the Church." An ecclesiastical *obra pia* he defines as "any foundation made through motives of religious piety, or with the purpose of exercising Christian charity, with the approbation and authorization of the bishop."⁶⁵ Against this Dr. T. H. Pardo de Tavera and others argued before the Philippine Commission that the college of San José was primarily of royal foundation;⁶⁶ Felipe G. Calderon, a Filipino advocate, and the chief adversary of the ecclesiastics, in his pamphlets, also argued that the college of San José is official in its origin:⁶⁷ their conclusions being that the civil government has power to intervene in the management of the college.⁶⁸ The commission, being careful not to intimate any opinion that "should be used by either side in the case to be argued and decided as authority in that tribunal [*i.e.*, the Philippine Supreme Court]," ex-

⁶³ *St. Joseph's College* (Statement of Most Rev. P. L. Chapelle), p. 50.

⁶⁴ *Colegio de San José*, p. 3.

⁶⁵ *Ut supra*, p. 5.

⁶⁶ *Senate Document*, no. 190.

⁶⁷ Two pamphlets, each entitled: *El Colegio de San José* (Manila, 1900).

⁶⁸ See a concise statement of the arguments of each side in *Senate Document*, no. 190, pp. 34-39.

pressed "no other definitive opinion than that the petitioners [*i.e.*, Pardo de Tavera, *et al.*] have presented a case of sufficient dignity and seriousness to warrant its full consideration by a court of justice." In the words of the commissioners: "In order to decide the merits of this case, we should probably have to consider and settle a nice question of canonical law, and investigate and discuss the historical and legal relations of the crown of Spain to the head of the Catholic Church. Neither of these questions do we feel competent now to decide with the materials which are before us and with the time at our disposal, nor do we need to do so. We are not a court. We are only a legislative body. It is our expressly delegated function in just such cases as this to provide a means for the peaceful and just decision of the issues arising. Had we been able to decide clearly and emphatically that the petitioners had no rights here and that their claims were so flimsy as not to merit the assistance of the legislature in bringing them to adjudication in a court of justice, we might have properly dismissed the petition and taken no action thereon; but we are of opinion, all of us, that the contentions of the petitioners present serious and difficult questions of law, sufficiently doubtful to require that they should be decided by a learned and impartial court of competent jurisdiction, and that it is our duty to make legislative provision for testing the question. If it be true that the United States is either itself the trustee to administer these funds, or occupies the relation of *parens patriæ* to them, it becomes its duty to provide for their administration by a proper directory, whose first function will be to assert, in the name and authority of the United

States, their right to administer the funds of the college against the adverse claims of the person now in charge, who claims to hold under and by virtue of the control over the funds by the Catholic Church; and this legislative action we now propose to take, not thereby intimating an opinion upon the merits of the case, but merely by this means setting in motion the proper machinery for the ultimate decision by a competent tribunal." The Commission set aside \$5,000 in United States money for the payment of the expenses of getting evidence, preparing the record, printing the briefs, and as fees for professional services; and that the case was to be heard before the Philippine Supreme Court, the United States being practically a party in the litigation. Further provision was made in case appeals from that court were to be made to the Supreme Court of the United States, for Congress to so provide in this case. As to the injunctive order of General Otis against the opening of the college, by the rector of the university, it was recommended to the military governor that it be rescinded. The persons appointed to conduct the litigation and to take charge of the college and its estates, should the decision and a decree of the court be in their favor, were as follows: Dr. T. H. Pardo de Tavera; Dr. Charles R. Greenleaf, Leon M. Guerrero, Dr. Manuel Gomez Martinez, and Dr. Frank S. Bourns. The concluding remarks of the Commission are the following: "There has been much popular and political interest in the controversy in which we have now stated our conclusions. The questions considered, however, have not had any political color at all. They have been purely questions of law and proper legal procedure, and so will

they be in the court to which they are now sent. The decision of the right to control San José college cannot legitimately be affected by the political feeling which one may have for or against the friars. It is unfortunate that the public should clothe the settlement of an issue purely legal with political significance when it ought not to have and does not have one. But, however this may be, those charged with settling it can pursue only one path, and that is the path of legal right as they see it."⁶⁹ Congress provided for appeal to the Supreme Court of the United States on July 1, 1902, under the general terms of Section 10 of the so-called "Philippine Government Act." A decision in the case had not been handed down in Manila up to the close of September, 1906.⁷⁰

⁶⁹ See *Senate Document*, no. 190, pp. 41-46.

⁷⁰ We are indebted for considerable material regarding the San José College case to James A. LeRoy, now (1906) United States consul at Durango, Mexico, formerly secretary to Hon. Dean C. Worcester in Manila, and a notable worker in modern Philippine history and conditions.

THE COLLEGE AND UNIVERSITY OF SANTO TOMAS

I

ERECTION INTO A UNIVERSITY

[The first portion of this division of the appendix is a translation of chapter xxxvi, of book i of Santa Cruz's *Historia*, where it occupies pp. 168-172.]⁷¹

Of the honorable apostolic and royal erection of the University of Santo Tomás of Manila

Another and very serious matter was transacted by that religious father, namely, the erection into a university of the college of Santo Tomás of Manila. That event is as follows. While that venerable father, Fray Juan Bautista de Morales, was in Roma during the years 1643 and 1644, negotiating matters touching the province, as its procurator, and the matters of China, father Fray Mateo de la Villa, who was also procurator of the province in that capital, wrote him from Madrid asking him to petition from his Holiness, Urban Eighth, who was then head of the Church, for the erection and foundation as a university in said college of Santo Tomás of Manila. He had gained for that purpose a favorable letter from his Majesty, Filipo Fourth the Great, our king and

⁷¹ See also San Antonio's sketch, VOL. XXVIII, pp. 136-139.

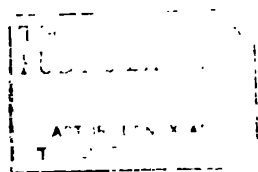
sovereign, in which his Holiness was asked to deign to concede his apostolic bull for that purpose. Father Fray Juan made his efforts, but by reason of all the matters and accidents which happened at that time, it was not accomplished. Consequently, he went to España without negotiating it that said year of 44. In that year, on the last day of July, the pontiff Urban Eighth, passed to the better life. Innocent Tenth having been elected September 15 of the same year, another letter was obtained from the king, our sovereign Filipo Fourth, for his Holiness. Since father Fray Victorio Riccio, a Florentine who had come [to España] in order to go to this province, was in Madrid, and was a very suitable person since he was an Italian, to be entrusted with that and other matters which were left pending in Roma by father Fray Juan, it was thought best to send him thither. He accomplished that as well as the other things, which have been continued in the service of the order and of this province. He is a great missionary of China, of whom this history will tell at the proper time the many things that there are to tell, for at present he is prior of the convent of Santo Domingo in Manila. The letter of his Majesty to the supreme pontiff Innocent is as follows:

[This letter will be found in VOL. XXXV, pp. 199, 200. The letter to the count of Ciruela, which is not given by Santa Cruz, will be found in the same volume, pp. 201-203.]

The said father Fray Victorio went to Roma with that letter, and although it reached the hands of his Holiness, yet he could not obtain that haste which he desired, for the ambassador was in disgrace with the pope because of some trouble which he had had



Chart of the stockfarm of Biñán, belonging to the College of Santo Tomás, of Manila, 1745; by the land-surveyor Francisco Alegre
[Photographic facsimile from original MS. in Archivo general de Indias, Sevilla]



with certain Portuguese which cost blood and deaths. His Holiness was very angry at that trouble, and it was necessary for the ambassador to leave Roma. But the father, not losing courage, as he had many powerful friends in that capital, as he had been raised there and had started for Filipinas from Minerva, exerted himself and obtained the opportunity to pay his respects to his Holiness and to lay his proposition before him, to which the pontiff answered in formal words: "In the time of our predecessor the same instance was made by the king of España, but it was not granted. How now do they return to insist again?" And it was so that the first letter of his Majesty was brought, and that benefit which was striven for was not obtained on account of the occupations and for other reasons which his Holiness must have had (in which the great providence of God in the government of the holy oracles of His vicars is to be noted, since a pontiff worthy of adoration had so singular an idea of Filipinas and of the university which was requested there) although the father left disconsolate. But by direction of a cardinal, his fellow countryman the father again renewed his courage, and, after waiting several months, again paid his respects to his Holiness, and gave him a memorial of his desire. His Holiness caused it to be received by his secretary, and the next day it was taken to the *signatura*,¹² and a decree was made that in regard to the erection of this university, a committee [*congregacion*] of four cardinals and four prelates named there should be formed. The president of it was the

¹² *Signatura*: a tribunal of the Roman court, composed of several prelates, in which various matters of grace and justice are determined. See *Novísimo Diccionario*.

most eminent Cardinal Saqueti, the father's countryman who had aided him from the beginning. The said prelates informed, then, and visited by the father, and being informed of the advisability of what was asked, it was concluded in the said committee that it was fitting to concede that favor to the king of España. Therefore, his Holiness despatched his apostolic bull in regard to this erection, that bull being as follows:

[This bull⁷⁸ will be found in VOL. XXXV, pp. 203-208.]

This brief was presented to the royal Council of the Indias, and the gentlemen of that council having read it, ordered a testimony of its presentation to be given July 28, 1646. That was attested on the thirty-first of the same month by Diego Lopez de Leytona y Mendoza, chief official of the papers of grace, government, and war, of the secretary's office of the royal Council of the Indias for the district of Nueva España. The fact that he was also the chief official

⁷⁸ Hernaez (*Colección de bulas*, pp. 471, 472) prints a bull by Clement XII, dated September 2, 1734, granting authority for the teaching of both canon and civil law to the university established in the college of Santo Tomás of the Order of St. Dominic at Manila, in which portions of Innocent's bull are inserted. This bull (translated by Rev. T. C. Middleton, O.S.A.) is as follows: "Clement XII Pope. In future remembrance of the affair. Long ago at the instance of Philip IV, of renowned memory, and during his life Catholic King of the Spains, letters in the form of a brief, of the following tenor, were issued by our predecessor, Innocent X, Pope, of happy memory, to wit: [Here follow the portions of Innocent's bull which are quoted, and Clement continues:]

"Since moreover, as has been represented to us lately on the part of our very dear son in Christ, Philip, also Catholic King of the same Spains, in the academy or university of general study of the said college, two new chairs have been erected, one indeed of the canons, to be held by a religious of the said order, the other, however, of the institutes of civil and canon law, to be held by a doctor in both laws, the afore named King Philip desires very earnestly

of the said royal Council, and that credit must be given to him, was testified by the royal notaries, Diego Carreño Aldrete, and Antonio Gomez, on the said thirty-first of July of the said year. Likewise, the said brief was presented, and the testimony of its presentation, in the royal Council of the Indias before the members of the royal Audiencia of this city of Manila. They having read it, determined that the party of the university of Santo Tomás could make use of the said brief. Consequently, they so voted by an act on the eighth of July, 1648, of which testimony was given on the said day by Captain Diego Nuñez Crespo, assembly clerk of the said royal Audiencia of Manila. Likewise, the said brief was presented before the dean and cabildo of this holy metropolitan church of Manila with the said presentations of the royal Council and Audiencia. The said gentlemen considered it as presented, and allowed the college of Santo Tomás to make use of it, and its rector, now or in the future, in the form and manner which is contained in the said bull. The clerk of the cabildo, Fernando de Caravajal, attested that on the same day on which the said act was voted,

that the letters above inserted be extended by us . . . to the two chairs just erected as said. . . .

"Accordingly as requested, by the said authority, in virtue of these presents, the form and arrangement of the same letters inserted above being maintained however in the others, we extend . . . the letters or indult above inserted to the above-named two new chairs also, until in the said city of Manila another university be erected. Given at Rome, at St. Mary Major's under the seal of the Fisherman, September 2, 1734, the fifth year of our pontificate." A note by Hernaez reads as follows:

"Pope Clement XII conceded authority to grant academical degrees in the college of the Society of Jesus in Manila, December 6, 1735, as is mentioned by Father Murillo [Velarde] in his *Cursus juris canonici* (Madrid, 1763), book v, título v, no. 62."

namely, July 14, 1648. This university having been inaugurated, then, and erected with so great honor into a pontifical and royal institution, its rector and first chancellor, namely, father Fray Martin Real de la Cruz, by virtue of his apostolic authority, made the necessary statutes, following in them all the custom and practice of the royal university of Mexico (of which from its beginning it has esteemed itself as the close daughter, and in which it has found the just functions of a noble mother with the exchange of letters and favors which the latter has given to it). Thus the said father rector ordained them, August 28, 1648, and they are observed inviolably and are like those of the said their royal and always noble mother, which were determined after the style and form of the most celebrated university of Salamanca.

In 1651 this university and its rector wrote to the said university of Mexico giving an account of its erection, stating that in it was born their obligation of attentive respect as daughter of that royal university, since the king our sovereign had given that university to it as mother and mistress. Consequently, it yielded and dedicated itself to that university and in regard to this the father concluded his letter with all due consideration and affection. In the year of 53, that most noble and ever famous university wrote this our university the following letter, which was written in full cloister.

Very illustrious Sirs:

This royal university of Mexico was greatly favored by the letter of your Lordship the past year of 51, in which was expressed the appreciation and estimation which is right and which is fitting for so

illustrious a cloister, and with the greatest pleasure received your adoption; which if it is the teaching of the Holy Spirit (Proverbs xvii), *Gloria filiorum patres eorum*, immediately before it had said: *Corona senum filii filiorum*.¹⁴ Consequently, it will consider that royal university as its crown and glory, and as such will venerate it forever. It will give his Majesty (whom may God preserve) thanks for the favors which he concedes to your Lordship by his decree of the rights to enjoy the privileges which are enjoyed in this royal university. What may be necessary for it, in so far as documents and papers are concerned, and for the pretension of your Lordship, will be delivered to the reverend father master, Fray Francisco de la Trinidad, so that we may carry them and present them to his Majesty in his royal Council of the Indias. In all the other things which may offer themselves for the service of your Lordship for its greater luster and increase, this royal university and its entire cloister will assist it with all promptness. May God preserve your Lordship in all happiness, etc. Mexico, February 7, 1653.

MASTER FRAY JUAN DE AYROLO Y FLORES, rector.

After his signature were those of eight doctors and masters and lastly that of the blessed secretary, Christoval Bernardo de la Plaza. This university erected with so fortunate beginnings with all that luster worthy of all estimation, has continued to advance. There have been and are very learned persons who have studied there, who have occupied

¹⁴ The position of these two Latin clauses (Proverbs, xvii, 6) is reversed in the Vulgate edition. The translation, according to the Douay version, is: "Children's children are the crown of old men: and the glory of the children are their fathers."

prebends and dignities in the holy church of Manila, and in other churches of our España, and it has had three sons, most worthy bishops, one of whom ascended to the archiepiscopal see of this city, of whom we shall treat in due time.

II

ROYAL DECREE GRANTING TITLE OF "ROYAL" TO THE COLLEGE OF SANCTO TOMAS

The King. Inasmuch as Fray Sebastián de Valverde, of the Order of Preachers, and procurator-general of the province of Santísimo Rosario of Filipinas, has represented to me, among other matters, that since the establishment of the college of Santo Tomás in the city of Manila, and especially since, at the instance of Felipe IV, a public academy or university was erected in it by his Holiness, Innocent X, in the year one thousand six hundred and forty-five,⁷⁵ in behalf of his order, not only has it redeemed its obligation in the public instruction with well-known benefit to those vassals, in which the religious have filled the chairs at the expense of the private property of the above-mentioned college, but also, at the same time, in order to inspire in the minds of its pupils the illumination of the holy doctrine of the angelic doctor St. Thomas, which some factional spirits in that capital, in whom still lives the seed of the suppressed doctrine,⁷⁶ are attempting to confuse with useless projects, have endeavored likewise to infuse into their hearts the fidelity, loyalty, and love due my

⁷⁵ See VOL. XXXV, pp. 203-208.

⁷⁶ Perhaps a reference to the Jesuits, who were expelled in 1768.

royal person – and one of the most signal and noble proofs that attest this truth is the promptness, with which the present rector, Fray Domingo Collantes, in this last war, in observance of the suggestion of that governor, raised four companies of fifty soldiers apiece among the collegiates and students, on whose clothing and support he spent some thousands of pesos from the beginning of the war until the peace was made, and at the same time placing at the disposition of the same government all the grain of the harvest and the cattle of its estates – and inasmuch as he has petitioned me that, in order that this signal example of the fidelity and generosity with which the above-named college served me and continues to serve me, may be remembered by the inhabitants of those islands, I deign to signify to it my royal pleasure, and kindness by admitting it under my sovereign protection and patronage, and by granting to it the title of “very loyal;” therefore, my Council of the Indias having examined the above petition, together with the information given in regard to it by the general accountant’s office, and the explanation of my fiscal, I have resolved in the conference of the tenth of January of this year, to concede, among other things, and as I concede by this my royal decree, the sole name of “royal” to the above-named college of Santo Tomás of the city of Manila, with the distinct condition and declaration, that it shall never have the right of petitioning assistance from my royal treasury. Therefore, by this present, I order and command my governor and captain-general of the above-mentioned islands, the regent and auditors of my royal Audiencia in the islands, and all other ministers, judges, and justices of those provinces, and I

request and charge the very reverend bishop of that metropolitan church, the venerable dean and cabildo in vacant see, and all other ecclesiastical prelates and judges to whom this pertains, to observe, fulfil, and execute, and cause to be observed, fulfilled, and executed, exactly and effectively, my herein expressed royal resolution, as and in the manner herein set forth, without violating it, or permitting it to be violated in any way, for thus is my will. Given in El Pardo, March seven, one thousand seven hundred and eighty-five."

I THE KING

By command of the king our sovereign:

ANTONIO VENTURA DE TARANCO

III

HISTORICAL ACCOUNT

[Below follows an interesting account of the university of Santo Tomás, by the Dominican friar, Evarista Fernandez Arias, from his *Discurso leído en la apertura de sus estudios (de la universidad) el día 2 de Julio de 1885*—i.e., "Discourse read at the opening of its studies (of the university) July 2, 1885" (Manila, 1885). Its author was a professor of the university.]

The university of Santo Tomás, of Manila, graced with the titles of royal and pontifical by the Catholic

⁷⁷ See also the following documents regarding the college and university of Santo Tomás: Foundation of the college, April 28, 1611, VOL. XVII, pp. 155-171; Royal permission, November 27, 1623, VOL. XX, pp. 260, 261; and University of Santo Tomás (royal letters in regard to its elevation into a university), November 9, 1639, VOL. XXIX, pp. 175-177.

kings and the supreme pontiffs, holds the first place among all the educational institutions of the Philippines on account of its antiquity, its history, and its importance. It was established in 1619, under the name of College of Santo Tomás, having, as its basis, a holy legacy from his Excellency, Fray Miguel de Benavides, of the Order of Preachers, second archbishop of Manila, who is considered as its true founder. By this legacy, the sum of 1,600 pesos was turned over to the fathers of his order, of the province of the Santísimo Rosario, who, accepting it, in accordance with his purposes and intentions, immediately proceeded to carry the plan into effect. Thus, after various contingencies, on the day of the festival of the Assumption of the Virgin, in the year mentioned, after having been authorized by the general government of these islands, and by both the ecclesiastical and the secular chapters, Fray Baltasar Fort, its first rector, proceeded to the inauguration of its studies by giving fellowships to twelve young men belonging to the most distinguished families of Manila. The permission granted by the general government and other authorities of this capital, was formally confirmed by his Catholic Majesty, Felipe IV, in his royal decree of November 29, 1623, in which he said of this institution: "It has afforded and affords great advantages to the young, the preaching of the gospel, and the instruction of the children of the inhabitants."

The chronicles of those times show that the number of young men, mostly children of Spaniards, who attended the schools of the Dominican fathers was not small; but the difficulty of not being able to receive academic degrees was an obstacle to the prog-

ress of the studies. For this reason, Pope Paul V was asked to authorize the order to confer the customary degrees upon the pupils of this college. This permission was granted for ten years, upon the expiration of which time, it was necessary to again apply to the Roman pontiff, then Urban VIII, for the extension of the concession for a similar term of years. This uncertain condition of affairs was not, as is evident, most conducive to progress in these studies, for which reason Felipe IV, desiring to regulate this concession consistently and permanently, requested, through his ambassador, an apostolic brief from the supreme pontiff, Innocent X, in 1645, which should confer upon the college of Santo Tomás (the title) and honors of a university, with all the privileges of those of the same class in the Peninsula, authorizing it to confer academic degrees in the schools of theology and philosophy. Afterwards, in 1734, this concession was extended by Clement XII,⁷⁸ also on the petition of the king of Spain, to the schools of canonical and civil law, and to others that might in time be established.

The year following the erection of this university by Innocent X and Felipe IV, its first rector and chancellor, Fray Martin Real de la Cruz, who so distinguished himself in the conversion of the Cagayanes, framed the laws, which continued in force until 1785. The greater part of these were similar to the laws of the university of Mexico, to which his Catholic Majesty desired to conform them, as appears from his letter written on December 20, 1644, to his ambassador at Rome.

In the beginning the only courses were dogmatic

⁷⁸ See this brief, *ante*, pp. 146-147, note 73.

and moral theology, philosophy, and the humanities; Latin and Spanish grammar, rhetoric, and poetry were included in the humanities, and the study of all the branches comprised in the works of Santo Tomás de Aquino formed a part of the courses in theology and philosophy.¹⁹ This was the custom in most of the universities existing at that time, a custom that responded perfectly to the necessities of that century, and more particularly to the special requirements of this country at that period. In the first stage of their civilization, education in the Philippines was based exclusively on religion; and the local necessities and the aspirations of the first Spaniards, echoing faithfully the sentiments expressed many times concerning this subject by the Catholic monarchs, demanded a literary center where the bishops and missionaries might find a solution for the many and varied doubts which arose in the exercise of their ministry; where the governors-general might receive ideas of profound and consistent methods of government for the direction of the towns and for their relations with neighboring nations, and where the alcaldes and encomenderos might learn the lessons of Christian charity and justice, which they not infrequently failed to observe. In what a satisfactory manner the university of Santo Tomás fulfilled this duty is shown by the illustrious names of Fathers Berart, Marron, Santa Cruz, Pardo, Sanchez, and the

¹⁹ Bowring (*Visit to the Philippines*, p. 194) says of the condition of Santo Tomás: "In the university of St. Thomas there are about a thousand students. The professorships are of theology, the canon and civil law, metaphysics and grammar; but no attention is given to the natural sciences, to the modern languages, nor have any of the educational reforms which have penetrated most of the colleges of Europe and America found their way to the Philippines."

celebrated Father Paz, and many others whom it would take too long to mention, whose brilliant and wise writings contain discussions of all kinds regarding the practical life of these people. It is also shown by the royal decree of 1862, in which his Catholic Majesty, admitting this institution under his protection, says that degrees in theology and letters are given with all strictness and display to qualified persons in those islands, this being of notable utility in that it furnishes subjects capable of filling the offices of curates and prebendaries.

The eighteenth century arrived, and, with the coming of the Bourbon dynasty to the Spanish throne, new germs of civilization took root throughout the monarchy, and were felt as far as these remote shores. Then the faculty of jurisprudence and canonical law was established (the establishment of which the Dominican corporation had endeavored to secure years before), because with the increase of the native and mestizo population, and with the consolidation upon a religious basis of the social life of these peoples, there was not a sufficient number of lawyers for the administration of justice. Lawyers did not come from the Peninsula, and for that reason, if not for other better and more noble reasons, it was necessary to seek them within the bounds of the islands. Hence, faculties of jurisprudence and canonical law were established, with courses in Roman law and institutes and the sacred canons. The pupils could hope for the degree of licentiate in jurisprudence and canonical law after a four years' course in these studies, and four other years called *pasantía* years, which were taken in connection with the law course, and were years of practice in the office of some

lawyer. During these so-called *pasantía* years, the pupils were required to defend a proposition every week and sum up the opposing arguments, and were permitted to act as substitutes during the absence of any of the professors of the faculty.

The course of institutes and canonical law was the only course in law given in most of the universities of that period, the professors being charged with making the applications necessary to the Spanish laws and those of the Indias, explaining the points in which they differed from the Roman and canonical laws.

The instruction continued thus during the greater part of the eighteenth century, the university conferring degrees in theology, philosophy, and canonical and Roman law. The courses in moral theology and the humanities were pursued without the formalities of enrolment and without a fixed number of terms, until toward the end of that century. With the increase of the commerce and the intercourse of these islands with Europe, and under the influence of the government of Carlos III, it was decided in the university assembly of 1785, to extend the faculty of theology by the establishment of chairs in literature and sacred writings, and that of law by two additional chairs of canonical and Roman law. It was also decided to create the faculty of medicine, together with a chair of mathematics, applied to commerce and navigation in conformity with the necessities of the times. Father Amador, professor of canonical law, having been appointed to form the new laws, in accordance with the resolution of the assembly, concluded them during the same year, 1785. These laws, after being approved by the superior govern-

ment of these islands, are now in force except in the points modified by subsequent laws. These laws provided that all professorships, with the exception of those belonging to the private patronage of the Order of St. Dominic, should be conferred by competitive examinations. It also prescribed rules for the conferring of academic degrees by the faculties of theology, canons, law, philosophy, and the new one of medicine, it being provided that, in order to secure the degree of bachelor of theology, canons, civil law, and medicine, it was necessary to have passed in four courses, and for philosophy in three, and that, after having obtained the title of bachelor, it was necessary to exercise the *pasantía* for four years in the schools of theology and law, and for three years in the other schools. Rules were also provided for the courses, the enrolments, and the examination fees. These laws were taken to a great extent from those in force in the universities of Salamanca, Mexico, and Lima.

About that time the king of Spain confirmed the privilege of exemption from tribute for all those who had received the degree of bachelor, and also for the pupils of the university, in consideration of "the utility and necessity for this branch of the state to encourage these studies, without which no community can flourish; for, if it should be ordered, contrary to the practice observed up to the present time, that the tribute be paid, the schools would be deserted, to the general injury of these islands."

Because of the indolence of the times and the lack of pupils, it became necessary to abolish the school of medicine and the class of mathematics and drawing, which were afterwards incorporated by the *consulado*, and the superior studies continued during

the first part of the present century as they existed at the beginning of the eighteenth century. It was not until the year 1836, on the petition of the corporation of St. Dominic, that the chair of Spanish law was created, increasing the faculty of laws.

By a royal order of 1837, continuing the progressive course initiated in the instruction at the university, a commission, presided over by the director of the university, was appointed for the purpose of studying the method of extending the instruction, and making a report upon the manner of filling the chairs which should be created, at the same time preparing a plan of studies, conforming as far as possible with that in force in the Peninsula. The report of this commission was awaiting the decision of the court of appeals when a new royal order of April 2, 1842, provided for the appointment of a new commission, also presided over by the director of the university, and consisting of one associate justice of the royal court of appeals, a prebendary of the cathedral chapter, a member of the municipal council, and one of the economic association, for the purpose of preparing a new plan of studies in harmony with the necessities of the times. The new commission, having worked with great activity, presented its completed report, submitting a plan of laws for this university which included the college of San José, notwithstanding the opposition of its rector, who, as prebendary, formed part of the commission. According to this plan of studies, instruction in theology, philosophy, and jurisprudence was improved, chairs of medicine, pharmacy, and chemistry were created, and that of physics was extended. Upon the submission of this plan of studies to the

supreme government of his Majesty, it was provided by another royal order of April 2, 1846, that funds be secured for the establishment of said change in the university, without injuring the interests of anybody, but respecting those existing in so far as possible.

In fulfilment of this decree, on the twenty-sixth of the following August, this superior government appointed another commission, to which was communicated a royal order of April 15, 1847, which appointed, as a member of the same, the rector and chancellor of the university; and another royal order of July 12, of the same year, which directed said commission not to include in the budget of studies "the property of the college of Santo Tomás, as it is the exclusive property of the Dominican fathers."²²

²² Of the college of Santo Tomás, the report of the Dominican friars in 1883 to the colonial exposition of Amsterdam says: "The building occupied by the university of Santo Tomás has contained since 1611 the college of the same name, which is under the direction of the Dominican friars, who gratuitously educate therein from 36 to 40 youths, the children of poor families, generally providing all the expenses for their career, and preparing them so that in the future they can fill an unembarrassed and suitable place in society. Many of these youths have become distinguished in scientific circles, and for their honesty in the legal profession, while others have been honored with the miter of a bishop, and have occupied venerable positions in ecclesiastical chapters. The youths educated in this college were not only Spaniards, but included also natives and mestizos, some of whom entered as servants, which was an honor solicited by many; and on some occasions four large dormitories of this college have been completely filled. There was a period when some entered and paid a moderate amount, according to the archives in the college, but this period was a very short one, because the documents on file in the archives show that at the beginning and at the middle of the seventeenth century, and during a greater part of the eighteenth century, no free pupils were admitted, and the few who were admitted paid a moderate tuition fee in proportion to the means of the family. In the be-

Unfortunately this commission was dissolved just before the completion of its work, on account of the absence of some members in the Peninsula, there remaining only one (in addition to the rector of the university), who later resigned his membership in the commission, under date of October 28, 1848. But by a royal order of April 19, 1849, the action of this superior government in not accepting said resignation was approved, and in the place of the absent members, Señor Montes de Oca was appointed and instructions given that another competent person should associate with them, in order that the work of university reform might continue. But as the commission did not hasten the matter with the speed desired by the government of his Majesty, another royal order was issued, under date of October 19, 1852, urging the commission to conclude the plan, and budget of studies, in accordance with the wishes and the interest of his Majesty for the welfare and prosperity of this colony. However, the difficulty of reconciling very great extremes, such as the preservation, in a new plan of studies, of everything already in existence that should be in harmony with the studies of the universities of Spain, the formation of a budget without injuring the interests of anyone, and a thousand other necessary considerations, placed under the charge of the commission by more than one royal decree, were more than sufficient causes to prevent the board from finishing its laborious contract and including its complicated work in the brief period desired. Hence, it was not until ginning the only branches of secondary instruction taught in the college were the so-called philological or grammatical studies, and after proficiency therein any of the careers established in the university was followed." See *Census of Philippines*, iii, pp. 596, 597.

February 16, 1856, that its work was done, and the long-desired plan of studies concluded. This plan was at once sent to the superior government of these islands, in order that it might finally be forwarded when it should be deemed convenient. The papers were still in the hands of the secretary of the government in March, 1859, when a fire occurred in the town of San Miguel, where said secretary resided at the time, and unfortunately the papers, in the compilation of which so much valuable labor had been expended, were burned. So unfortunate an occurrence must naturally have delayed this matter, although by chance there was in the possession of the rector of the university a copy of all these works and the previous writings of the board which were used in the compilation of the desired plan. The rector of the university was requested by the government of these islands to furnish all the previous writings in his possession on the works and plan of studies which had been destroyed while in the possession of the secretary, and which should serve as a basis for the new papers treating of the same subject.

But before sending the report to his Majesty, for his final approval, the superior government received some copies of the plan of studies newly established in the universities of the Peninsula, together with a royal order directing that it be adapted in so far as possible to the plan for these islands which was to be presented for the approbation of his Majesty. This circumstance led to the suspension of the proceedings instituted, and obliged this superior government to appoint another commission, or, rather, to complete the old one, which had already become disintegrated by the absence of some of its members, to revise the work and the plan of studies formerly proposed, and

to harmonize it, if possible, with the plan of studies, a copy of which was sent to the members of the board for the purpose indicated.

Thus, on April 5, 1861, General Lemery appointed the lacking members of said commission, in which figured, as in the former commissions, the director and chancellor of this university. The commission concluded its work on February 20, 1862. The plan of studies prepared by this last commission was presented on the same day to the superior government of the islands and was finally transmitted with a favorable report to the government of his Majesty without the sovereign approval for its establishment having as yet been given.

This lack of approval of the superior government did not prevent the consideration of the means of immediately carrying into effect the change in the studies, and soon afterwards, in 1865, secondary instruction was adopted with the degree of bachelor of arts, commercial expert, and surveyor, and chemical and industrial expert, as in the universities of the Peninsula. The classes were opened the following year, in accordance with a provisional program taken from that of Cuba. In 1867, this program was given the supreme approval. Secondary instruction having been happily inaugurated, the approval of the plan of superior instruction, submitted by the university to the government of his Majesty, was being awaited, when a decree arrived from the regent of the kingdom, Don Francisco Serrano, countersigned by the colonial minister, Señor Moret,⁸¹ which secularized the official studies,

⁸¹ Of the Moret decree, Tomás G. del Rosario, writing on education in the Philippines, in *Census of Philippines*, iii, p. 637, says: "This decree, countersigned by the eminent colonial min-

and, suppressing the existing colleges and the universities of Santo Tomás, converted them into the Philippine Institute and the university of the Philippines respectively, thus ignoring all the elements which they had accumulated in their teaching during three centuries of existence, and turning over the literary future of the people to the hazardous plan, inspired, notwithstanding the loyal patriotism of the minister, by a doctrine diametrically opposed to that which had served as a solid basis for welfare and

ister, Don Segismundo Moret, introducing modern advances in Philippine legislation, secularizing instruction and giving it all kinds of guarantees and liberties, this long-awaited provision, caused a great outburst of enthusiasm throughout the archipelago, as it signified the manumission of the popular conscience from a slavery bound with the chains of fanaticism and inimical irreconcilability. In many provinces and in the city of Manila, this never-to-be-forgotten resolution of the Spanish government was received with signs of evident joy. Later, under various pretexts, all those who had expressed joy were cruelly persecuted, and put in jail, or deported as insurgents, masons, filibusters, etc., these measures extending even to those who were merely suspected. This is the history of all theocratic or despotic governments. It is true that some residents and parents of families protested against this provision, together with the corporations, the bishops, and the clergy, but these residents and fathers of families did so either through fear or because they were debtors to or members of the families of the friars. Some did so for fear of being discovered, but most of them to carry out ambitions; no one made a protest with sincerity and in good faith. Everything was hypocrisy, as is the case, and must be the case, among all nations oppressed by absolutism." R. L. Packard's article, "Education in Cuba, Porto Rico, and the Philippines," included in the *Report of the Commissioner of Education 1897-98*, i, pp. 909-983, gives (pp. 976, 977), the plan of studies of the Moret decree of November 6, which is as follows: Spanish and Latin grammar; elements of rhetoric and poetry; elements of physical geography; elements of descriptive geography in general and the Philippines in particular; universal history—history of Spain and the Philippine Islands; arithmetic and algebra; geometry and plane trigonometry; elements of physics and chemistry and of natural history; psychology, logic, and moral philosophy; general outline of anatomy, physiology, and hygiene. The studies for the industrial profession included: mercantile arith-

progress. The corporations of Manila, the bishops, and the clergy, with a majority of the householders, protested against a measure which, although it fulfilled the hopes of the university in regard to new chairs and schools, deprived them of any value by separating them completely from the religious basis. These protests were heard by the governor of these islands, Señor Izquierdo, who provisionally resolved that the decree be not executed in regard to the secularization, but that it be carried out with regard to

metic; bookkeeping and accounts; political economy and mercantile and industrial legislation; geography and commercial statistics; French, English, Tagalog, and Visayan; surveying; spherical trigonometry; cosmography, pilotage, and maneuvers; theoretical and applied mechanics; physics and chemistry applied to the arts; topographical drawing and hydrography; lineal and ornamental drawing—landscape, figures, and painting. The university of Santo Tomás, which changed its title to that of the university of the Philippines by this decree was organized as to its faculties of law and medicine, and the latter contained the following studies: descriptive and general anatomy, two courses; exercises in osteology and dissection, two courses; physiology, one course; public and private hygiene, one course; general pathology, with clinics and pathological anatomy, one course; therapeutics, materia medica, and writing prescriptions, one course; surgical pathology, with operations, bandaging, etc., one course; medical pathology, one course; obstetrics and special pathology of women and children, with clinics, one course; medical and surgical clinics, two courses; legal and toxicological medicine, one course. The pharmaceutical course was also reorganized by this decree. The same minister had proposed October 2, 1870, "that instruction should be given at the university of Madrid in Tagalog and other studies which would give information about the Philippines and the English and Dutch East India possessions and their methods of government, especially for the benefit of those who intended to enter the colonial service." December 5, 1870, in an exposition of the history, conditions, and needs of public instruction in the Philippines, he recites the early activity of the Augustinians, Dominicans, and Jesuits, in education. He points out that by the process of absorption by the religious orders, education became concentrated in their hands, and while they had done much good in early times, their narrowness and conservatism rendered secularization of instruction necessary.

the new schools. This resolution was fully approved by the government of the Peninsula. Thus, in 1871, the schools of medicine and pharmacy were established, and the other schools were extended. By a resolution of General Moriones, the governor of these islands, which was confirmed by his Catholic Majesty, it was decided to appoint a director of the college of San José, which was granted in perpetuity to the rector of the university, and of an administrator, on the recommendation of the said director, for the management of revenues.²²

In 1876, the study of the profession of notary was inaugurated, and two professors were appointed to teach these subjects. Finally, in 1879 and 1880, the auxiliary courses of medicine and pharmacy, midwives, assistant surgeons, and practitioners in pharmacy were created. From this date the university of Manila has had a complete course of superior and secondary instruction, better than some universities of the Peninsula.²³

²² October 29, 1875, a royal order was issued regulating the courses in the university, and prescribing courses of study. Packard, *ut supra*, p. 977.

²³ Of the studies of secondary instruction given in Santo Tomás, San Juan de Letran, and San José, as well as the private schools, the *Census of Philippines*, iii, pp. 601, 602, says: "They had the defects inherent in the plan of instruction which the friars developed in the Philippines. It suited their plans that scientific and literary knowledge should not become general nor be very extensive, for which reason they took but little interest in the study of those subjects or in the quality of the instruction. Their educational establishments were places of luxury for the children of wealthy and well-to-do families, rather than establishments in which to perfect and develop the minds of Filipino youth. It is true that they were careful to give them a religious education, tending to make them respect the omnipotent power of the monastic corporations, at least three certificates being required every year, proving that the pupil had gone to confession, in order to permit him to stand the examination at the end of the term."

This is the brief history of the first and most important educational institution of these islands,⁸⁴ in which it may be seen that, without the violence of

⁸⁴ See the courses of study for the schools of jurisprudence, theology, and canons, medicine, pharmacy, and the notarial profession, in accordance with the royal decree of October 29, 1875, and the studies given in the school for practitioners in medicine and practitioners in pharmacy, approved by the general government of the Philippines on March 4, and December 29, 1879, and afterward confirmed by the supreme government, in *Census of Philippines*, iii, pp. 627-629. A course was also given under the same authority for midwives. According to a Dominican report submitted at the Exposition of Madrid, in 1887, the university of Santo Tomás conferred degrees upon 957 bachelors, 132 licentiates, and 97 doctors in philosophy, theology, canonical law, and civil law from 1645 to 1820. The graduations from 1820 to 1850 were as follows: theology, 457; canons, 325; institute, 748; civil law, 203; philosophy, 2,173. From 1850 to 1870, the graduations were: theology, 822; Roman and canonical law, 1,540; civil law, 658; philosophy, 3,405. The graduations from 1871 to 1886 were as follows: preparatory course in theology and jurisprudence, 745; preparatory course in pharmacy and medicine, 660; dogmatic theology, 406; moral theology, 104; canonical law, 36; jurisprudence, 1,904; pharmacy, 356; medicine, 1,029. The report of 1887 contains the following in regard to the university: "The university of Manila has the titles of royal and pontifical, which reveal its glorious destiny of propagating in this archipelago religion and love for Spain. It is under the most special patronage of the angelical doctor [*i.e.*, St. Thomas Aquinas], presenting in its name of royal and pontifical university of Santo Tomás the ideals which have prompted its foundation and directed its development for a period of almost three centuries. Its organization is simple without being rudimentary. Having for a basis religious education, at the same time that it avoids the danger of professors expounding more or less advanced theories, which in practice sooner or later, are reduced to moral ruins, both public and private, it contains the pupil within the circle of a severe discipline, in which, if some apparently see oppression and a suppression of spirit, this apparent oppression is softened by the paternal affection which the priests in charge of the instruction know how to bestow upon the natives of this archipelago. A constant encouragement to the young, directed by prudent and affectionate discipline; that is the standard observed by the university of Manila as to its pupils." It was impossible for the friars to extend this purely religious education to university studies, as the persons devoting themselves

certain schools, with the moderation and firmness demanded by reforms in the branch of public instruction, this university combining perfectly scientific interests with religion and patriotic interests, to such studies were already adult persons. Graduates from the university, although officially recognized by the Spanish government, rarely received official aid. The few Filipinos who were appointed to the notarial and law positions, received such appointment only temporarily. The same is true also regarding physicians. This condition was one factor in the development of the last revolution against Spain. The Dominican report of 1887 also says: "Both secondary and higher instruction cost nothing to the treasury in the Philippines. The colleges of Santo Tomás and of San Juan de Letran are supported from the funds of the corporation to which they belong. The expenses of the university are defrayed with regard to the studies of medicine and pharmacy by the revenues of the college of San José, devoted to that purpose by several royal orders, the balance in the treasury of the college last year [*i.e.*, 1886], after the deduction of all expenses, having been only \$173.94. The other expenses of the university are defrayed by the Order of St. Dominic, which has assigned for this purpose, a large personnel serving without charge. Furthermore, the building of the college of Santo Tomás, its library, museum, cabinet, and other equipment, are devoted to educational purposes, with all the personnel and supplies necessary for its preservation and improvement. The only university receipts are those from the payment of matriculations, examination fees, and diplomas. The average receipts, deducting therefrom what corresponds, according to law, to professors, the secretary, etc., amount to \$14,000, and the expenditures to \$30,000. The latter figure does not include the cost of repairs, the support of the building, cabinet, museum, and library, and other dependencies of Santo Tomás, religious feasts, and other expenses which are not defrayed from the treasury of the university." See *ut supra*, pp. 626-635.

See also J. Valinau's *La universidad de Manila*, in *La política de España en Filipinas*, a periodical published for eight years, under the directorship of José Feced, and the editorship of Pablo Feced and W. E. Retana, for the year 1891, pp. 26-29, 38-41, 50-52, 62-64, 74-76, 88-90, 98-100, 110-112, 122-124, 134-136. On pp. 122, 123, is given the number of professors in the various faculties in 1887, as follows: theology and canons, 8, all religious, except one in charge of the class of Roman law, which is taught by an advocate; jurisprudence, 14 professors, 7 of whom were religious and 7 jurisconsults of Manila; medicine, 15 professors, the 3 in charge of the preparatory course being religious, and the

has been able to rise to the height required by the circumstances of the period, and has fulfilled the aspirations of all true lovers of Christian and Spanish civilization.

other 12 physicians; pharmacy, 8 professors, 3 (the same as those in the preceding) being religious, and the remainder, pharmacists of Manila; 11 professors in charge of commerce, agriculture, and industry, all religious except one—in all a total of 56 professors, of whom 27 were religious. The library of the university contained about 12,000 volumes, and the physics cabinet about 300 instruments. Valinau, a former student of the university, and in civil life, defends the rule of the friars against detractors.

ROYAL COLLEGE OF SAN FELIPE DE AUSTRIA

I

FOUNDATION AND SUPPRESSION

[Diaz (*Conquistas de las Filipinas*), speaks as follows of the short existence of the royal college of San Felipe.]

Governor Don Sebastián Hurtado de Corcuera, a magnanimous gentleman, determined to found a royal college under the title of San Felipe in honor of Felipe IV, in whose reign he assigned four thousand pesos from the royal treasury for twenty becas, until other means should be carried out for their support. He joined it to the college of San José of Manila, which is under the charge and direction of the Jesuit religious of the Society. The latter college is the older in foundation of the two in the city, leaving out of account the seminary of San Juan de Letrán, which together with the college of Santo Tomás is in charge of the religious of St. Dominic. Both colleges are gardens of letters and virtue which adorn the ecclesiastical estate, both secular and regular. Very many very eminent persons, both seculars and regulars," have graduated from those colleges,

"The original is *así bonetes como capillas*. *Bonetes* refers to the secular priest who wears a bonnet, in contradistinction to the

and up to this time three bishops, and Doctor Endaya y Haro, who after being dean of the cathedral of Plasencia, España, is at present archdeacon of Alarcón, a dignity of the cathedral of Cuenca, one of the greatest dignities of España, besides many others who require a separate history. The twenty becas were given to the finest youths in Manila on the day of St. Sebastian of that year, 1641, amid great applause and gatherings, and they were given the title of royal collegiates.⁸⁶ The religious of the Society of Jesus took charge of the management and instruction of that college with that care and zeal which they usually display. But the permanence of that college endured only during the government of Don Sebastián Hurtado de Corcuera, namely, until the year 1644, when that royal college of San Felipe was destroyed, and the fathers of the Society had to pay the 12,000 pesos which they had spent during those three years on the support [of those pupils], the many good representations made by the said religious – who charged that the royal decree which was couched in very strict terms for that purpose, was obtained by false representation⁸⁷ – being of no avail.

regular, who wears a hood or cowl, *capilla*. See Appleton's *New Velázquez Dictionary*.

⁸⁶ Concepción says (vi, pp. 190, 191) that a house was bought for the new college next to the college of San José; and January 20, 1641, the first becas were given. Some of the Jesuits did not approve the new college, and sighted the fatal results from afar, "from taking so great a sum from the royal treasury, without sufficient authorization." "But the fathers in power trampled everything under foot, for they were quite confident in its introduction, and thought that if those powers had no effect, no harm would come from its results, while the present gain was very great and constant."

⁸⁷ "The Society alleged that the decree was obtained on false representation and contained falsehoods in its narration; that its

The new governor Don Diego Faxardo executed that decree with the integrity which these islands experienced in him. The royal treasury owed 8,000 pesos to the fathers of the Society, but they were not allowed to receive them on account. Thus they had to lose those loans. Our province aided them with 8,000 pesos which it had in deposit from some annuities [*censos*] which their owners had received, and 4,000 were lent them by Captain Manuel Estacio Venegas, a very important person of these islands.⁸⁸

. . . This was the beginning, permanence, and end of that unfortunate college of San Felipe, whose idea we have seen to have been executed and established by the royal will of King Don Felipe V, in the foundation of the royal college of San Felipe newly established in houses that formerly belonged to Captain Gabriel Diaz del Castillo, and afterward confiscated for the properties of Licentiate Manuel Suárez de Olivera, who was also an example of the advantage of wealth in this world, for his wealth all

execution should be suspended, until truer reports were given to the sovereign; that, even laying aside this vice, the Society, against whom the execution was to be made, was not a party; that the royal decree did not order it, nor did law declare it, because neither the Society nor the college of San Joseph was interested in such sum, which at best ought to be collected from the collegiates, for whose use it had been spent, or from the governor, at whose order the money had been paid out; and that the embargo was an excess on laymen, since it was in ecclesiastical incomes." On this account the royal officials decreed in favor of the Society. See Concepción's *Historia*, vi, pp. 191, 192.

⁸⁸ "The Society continued its demands at court, and gained their plea, and the governor was ordered, in case that sum had been collected, to restore it to the Society. If that sum had not been paid, no further effort was to be made to collect it. Seemingly this order had no effect, for the king gave them as recompense an *encomienda*, in which the Society were to make good their losses." Concepción's *Historia*, vi, p. 193.

went up in smoke without his having gotten from it (and he had much) enough to apply to a mass for his soul. The royal college of San Felipe has twelve violet colored becas over red mantles, with the arms of Castilla and León in silver on the breast. They are obliged to be present at the cathedral in their seminary body during the divine offices, and serve as acolytes and other lesser duties of the altar. Their first rector and the only one as yet, is Licentiate Don Gabriel de Isturis, presbyter, advocate of the royal Audiencia. He was alcalde-in-ordinary of the city of Manila while in the world, and alcalde-mayor of the alcaiceria of the Parián of the Sangleys."

II

SUMMARY OF HISTORY

[The following is condensed from annotations of Rev. Pablo Pastells, S.J., in his edition of Colin's *Labor evangélica*.]

The college of San Felipe de Austria was founded by Sebastián Hurtado de Corcuera, at the instance of the ayuntamiento of Manila, and was annexed to the college of San José of Manila. The cabildo proposed to Corcuera, December 15, 1640, that eighteen royal fellowships and two college servants be assigned in the college of San José or Santo Tomás, which were to be given as a reward to those possessing greatest merit and highest rank, because of the great poverty of many of the children and descendants of those who had performed the greatest services for the crown in Filipinas. In view of the fact that

^{**} See *post*, pp. 187-192.

there are two universities in Manila, Corcuera is asked to confer in regard to the matter, "so that in the college which his Lordship shall assign, of the two above-mentioned, there be eighteen fellowships, and two college servants – twenty in all – and that to them be appointed those who shall deserve it most and those of the highest rank, with the beca and gown that shall be regarded as fitting, in order that they may be recognized as such, and which shall be different from those worn by the other students. For their support and clothing, a sum of three thousand pesos shall be set aside annually." The graduates were to succeed, after passing competitive examination, to the canonries of the Manila cathedral.

Corcuera signed the decree founding the college, December 23, 1640, and the direction of the same was given to the Jesuits. By that decree, twenty fellowships were created, and six Pampango college servants provided for. The sum of four thousand pesos was assigned for their support, 3,000 being for the twenty fellowships, and the remaining 1,000 for one master and the six servants. Provision was made for this sum from four hundred of the general licenses which were issued to the Sangleyes, granting them permission to remain in Manila.

January 19, 1641, Corcuera issued the rules and regulations for the new college – thirty-three in number – after having conferred with Doctor Diego de Rivera Maldonado, auditor of the royal Audiencia. These rules and regulations provide as follows:⁹⁰

1. There shall be twenty collegiates, "who must

⁹⁰ We present these regulations for the most part only in abstract.

be the sons, grandsons, or descendants of deserving persons who have served his Majesty in these islands. The sons of the auditors of this royal Audiencia, living or dead, and those of the royal official judges, and those of all the war officers, great and small, shall always have the preference; and in default of them, any others of these islands, who possess the necessary qualifications. Said collegiates shall be in the charge and under the care of the father rector, present or future, of the said college; and no one shall enter the college or be received therein unless he shall have presented a government provision therefor to the said father rector."

2. The college servants shall be of influential Pampango families, and they shall be taught "to read and write, and the Spanish language," and shall be given clerkships if they show aptitude therefor.

3. The collegiates must be of pure race and have no mixture of Moorish or Jewish blood, to the fourth degree, and shall have no negro or Bengal blood, or that of any similar nation, in their veins, or a fourth part of Filipino blood.

4. The royal arms shall be placed above the principal door of the college, and surrounding those arms the Latin words: *Collegium regale divi Philippi* [Royal college of San Felipe].

5. The outside clothing worn by the collegiates shall be a gown of blue and black silk, and a beca of purple velvet, and on the left side an escutcheon with the arms of Castilla and Leon with the royal crown above, and below, the fleece whence protrudes the cross of Alcantara, edged at the points with gold. The sleeves and bonnet shall be black. In the house

they shall wear a garment of the same silk and color in place of the gown. The college servants shall wear a semi-cassock of the same silk material, with hat and girdle, with the royal arms on the left side of the breast.

6. All that is necessary for the support and clothing of the collegiates shall be given them, being paid for from the 150 pesos assigned for each one. They shall each be provided with one silken gown, one beca of purple velvet, one silken garment, one bonnet, four pairs of sleeves of black taffeta, six shirts and six pairs of linen breeches, twelve pairs of shoes, four pairs of cotton socks, two pairs of breeches and two doublets, and one dozen linen collars.

7. Twelve of the collegiates shall be art students [*pasantes de facultad*], and the other eight, grammar, but the governors may vary the number of those in each branch at their pleasure.

8. The course shall take eight years, and shall comprise three in arts and four in theology; and no collegiate may be more than seven years in the said college and one year as a lodger, unless elected as a conciliar the last year, after which he shall then be a lodger. Those studying grammar shall remain nine years.

9. When there is a sufficient number who wish to be given a fellowship, a competitive examination shall be held.

10. Until there are those who can compete for the fellowships, they shall be appointed after taking an examination given by the three fathers named by the rector.

11. All collegiates must take an oath of mutual defense in and out of the college, and must defend the Immaculate Conception of the Virgin.

12. The collegiates must be given sufficient food, and on certain feast days, viz., of Sts. Philip and James, St. Sebastian, and the day of the Immaculate Conception, something extra.

13. The hours shall correspond to those of the university of San José.

14. The collegiates shall confess and take communion at least five times per year, viz., on the three feasts of Christmas, Easter, and Pentecost, and the days of Sts. Sebastian and Philip, under penalty of a fortnight's seclusion every time they fail to observe it, and loss of their college portion for that time.

15. The students of San José shall be preferred to all others in competition for fellowships.

16. These shall be defended every Saturday when no legal obstacle presents itself.

17. All the collegiates shall be obliged to attend vespers and mass in the royal chapel on St. Sebastian's day, and on the feast of the most holy sacrament held at the same place, and they shall have to take part in the procession of the latter day as well as on the day of Sts. Philip and James (May 2).

18. Gambling with cards, dice, or in other manner is forbidden, the penalties being for the first time, seclusion for a fortnight and deprivation of the college portion for that time; for the second, that penalty doubled, and for the third, dismissal from the college.

19. The college shall be locked after the evening prayer, after time has been allowed for the collegiates to arrive from the farthest part of the city. The third time that any collegiate is late, he shall be dismissed from the college. No collegiate may go into the city without his gown and beca.

20. The library shall be open two hours in the

morning and two in the afternoon, but no book shall be taken from it, "under penalty that the collegiate so doing, shall not enter the library for six months, and shall pay the college for the book, unless he return it. The librarian or attendant shall be the senior collegiate, and he shall be present in the said library one hour in the morning and one in the afternoon."

21. Corcuera prescribes that he be advised of any case for expulsion in order that he may give permission for such expulsion. Expulsion shall take place if it is proved that any collegiate has obtained the beca for sinister reasons, or is not of the proper purity of blood.

22. The collegiates shall live a good moral life under penalty of expulsion.

23. Collegiates shall be preferred in all appointments to the beneficed curacies and in the church dignities.

24. Every day the collegiates shall recite a prayer for the king, besides a responsary for the deceased sovereigns. They shall assemble (as is the custom at San José) twice in the chapel, once on rising in the morning, and the second time at night, at which times the said prayers shall be repeated.

25. The auditor Diego de Rivera shall be the protector of the college, and in his absence, the one who shall be appointed by the government. The governor shall inspect the college annually without the intervention of any ecclesiastic, but he may delegate it to the father provincial of the Society.

26. On the day of the patron saint of the college, the collegiates shall assemble and three of the most capable shall be chosen as assistants to the rector in matters of importance.

27 and 28. The college shall contain archives for the conservation of important papers, and records.

29. The rector shall have especial care of the money assigned for the support of the collegiates.

30. One of the art or theological collegiates shall be elected annually as conciliar, when the number is sufficient to warrant it.

31. If the expenses of the degree of doctor or licentiate in any course reach 400 pesos, counting the fees, theaters, gloves, collations, and other things, the royal collegiates shall pay only half the fees to the doctors and teachers.

32. The senior collegiate in any course shall be graduated before the other students in that course.

33. The college is entrusted to the Jesuits as Corcuera has full confidence in them.

The Dominicans asked that the twenty fellowships founded by Corcuera be adjudged to their college, without any gratification or income. Their request was made by the rector of that college, Fray Domingo Gonçalves, and the other religious of the same, and they offered to take the twenty students free of all charge to the king, as an appreciation of the latter's many favors to their college. Corcuera answered the request by a decree, November 23, 1640, in which he suggested that the Dominicans might use the 3,000 pesos which they offered for the support of the fellowships, for bringing over missionaries of their order from Spain, thus relieving the king of that expense. But it is not in accord with the greatness of the king to listen to such a proposal. On August 8, 1641, Corcuera wrote to Felipe IV, stating the reason which induced him to found the college. He cites therein the request made him by the Manila cabildo, encloses the Dominican's peti-

tion, and gives his reasons for refusing it. He also asks that the college be exempted from the payment of the half-annats, as it is a royal institution.

When Diego Fajardo took possession of the government, August 11, 1644, he ordered the assignments for the fellowships, amounting now to 12,000 pesos, belonging to the college of San Felipe, now received by the college of San José, to be returned, in accordance with a royal decree dated June 16, 1643, ordering the former college discontinued. The Jesuits urged against the measure "that his Majesty did not order that the Society should pay the said sum, but that there be given to the royal treasury what the Society had received, leaving it to the decision of the royal official judges how it was to be paid and by whom; that the seminary of San José was a distinct college, and had made no use of what had been spent in the support of the royal college; that it was only interested because it had given them a house in which to live: consequently it was not right that it should pay from the income which its founder had instituted, what they had not eaten and drunk. As regards the embargo of property, we alleged immunity, for it was proved that the incomes of the college of San José were ecclesiastical." The sentence was given in favor of the Society by the royal officials, but the governor would not listen. The Society were ordered to pay the 12,000 within three days. The governor refused to discount 8,000 pesos owed the Society by the treasury, and to take 4,000 pesos in cash, and hence, it became necessary for the Society to seek a loan. The king on fuller information, ordered the Society to be reimbursed to the amount of the 12,000 pesos, if it had been col-

lected from them, by a royal decree dated March 17, 1647.⁹¹

⁹¹ This decree is given by Fray Bernardino Nozaleda de Villa, the last Spanish archbishop of Manila, in his *Colegio de S. José*, (appendix, document no. 5, pp. x, xi), a pamphlet presenting the Church side in the recent controversy of San José College, argued before the Philippine Commission; and also by Pastells, in his edition of *Colin*, ii, pp. 493, 494. See also various documents treating of this college presented by Pastells, *ut supra*, iii, pp. 763-781.

SECULAR PRIESTS IN THE PHILIPPINES

Summary of a letter by Archbishop Pardo (dated June 6, 1680), in answer to a letter from the king and a royal decree of August 22, 1677.

This decree ordained that the archbishop should make all the efforts that he possibly could to maintain at their studies such Indians of the islands as were inclined to that pursuit, and in due time should promote them to holy orders, when he found them properly instructed; and that for this purpose some boys should enter the colleges that the Dominicans and Jesuits maintain, until a seminary be founded. The archbishop stated the little inclination that the Indians have for theological and moral studies, and that there was the additional difficulty of their evil customs, their vices, and their preconceived ideas—which made it necessary to treat them as children, even when they were fifty or sixty years old. He considered even the sons of Spaniards, born in the islands, unsuitable for priests, since they were reared by Indian or slave women, because of their defective training and education in youth. Finally, on account of the sloth produced by the climate, and of effeminacy and levity of disposition, it was evident that if they were ordained priests and made ministers to the

Indians when they were not sufficiently qualified therefor, through the necessity there was for them, they did not again open a book, and with their vicious habits set a very bad example to their parishioners. That which should be done was to send from España those religious who were most zealous for the conversion of souls.⁹²

⁹² See LeRoy's *Philippine Life in Town and Country* (New York and London, 1905), pp. 120-122. See also various estimates on the capacities of the Filipinos in LeRoy's article "Friars in the Philippines," in *Political Science Quarterly*, xviii, pp. 675-678.

ROYAL DECREE CONCERNING NATIVE SCHOOLS

The King. Inasmuch as it is ordered by law v, título 13, book i,²² of the *Nueva Recopilación de las Indias* that all the archbishops and bishops of the Indias give order in their dioceses to the curas and missionaries to the effect that by using the most mild means, they order and direct all the Indians to be taught the Spanish language, and the Christian doctrine in that language, so that they may become more proficient in the mysteries of our holy Catholic faith, gain profit for their salvation, and attain other advantages in their government and mode of living; and inasmuch as it is ordered by another law, namely, law xviii, título i, of book vi, that schools be founded for the Indians and teachers appointed to teach the Castilian language to those who wish of their own free will to learn it, in the manner that may be of least trouble to them and without cost to them;

²² This law, given by Felipe IV at Madrid, March 2, 1634, and again, November 4, 1636, is as follows: "We ask and request the archbishops and bishops to take measures and give orders in their dioceses for the curas and missionaries of the Indians by the use of the mildest means, to order and direct all the Indians to be taught the Spanish language, and to learn in it the Christian doctrine, so that they may become more capable of the mysteries of our holy Catholic faith, may profit for their salvation, and obtain other advantages in their government and mode of living."

and since it appears that the sacristans of the churches can do this well, just as in the villages of these kingdoms they teach reading, writing, and the Christian doctrine:" therefore, considering, in my royal Council of the Indias, the great advisability of observing this in the future strictly and inviolably, as it is inferred to be the most efficient means for banishing idolatries, to which the Indians are for the greater part addicted at present, as they were in the beginning of their conversion, from this means also it follows that the vexations which are practiced on them will cease in whole or in great part, and the Indians will be able to make their complaints directly to the superiors without making use of interpreters, who being bribed change the translation, I have resolved to order and command, as I do by this present, my viceroys, presidents, governors, corregidores, and alcaldes-mayor, who hold office at present or shall hold office in the future, of all the provinces of Nueva España, Guatemala, Filipinas Islands, and Barlovento, and I ask and request the archbishops and bishops of the metropolitan churches

"This law was given by "Carlos I and the sovereigns of Bohemia, governors in Valladolid," June 7, and July 17, 1550; and is as follows: "Having made special investigation as to whether the mysteries of our holy Catholic faith can be thoroughly and properly explained even in the most perfect language of the Indians, it has been seen that it is impossible without committing great discords and imperfections; and although chairs are founded, where the priests, who should have to instruct the Indians, may be taught, it is not a sufficient remedy, as the diversity of the language is great. Having resolved that it will be advisable to introduce the Castilian, we ordain that teachers be assigned to the Indians, who may teach them what they wish to learn of their own accord, in the manner that will be of least trouble to them and without expense. We have considered that this might be well done by the sacristans, just as they teach reading, writing, and the Christian doctrine in the villages of these kingdoms."

and cathedrals of those countries, each one, so far as it concerns him, to watch carefully and strictly over the observance of the laws above cited. They shall cause them to be carried out strictly, without any opposition or interpretation, so that the Indians may study the Castilian language and begin immediately to learn it. I charge all to have especial care in this, and I warn (as I do by this present) the viceroys, presidents, governors, corregidores, and alcaldes-mayor of all the provinces and islands above mentioned, that the non-observance of this shall be charged against them in their residencias." I also order and command generally all the ecclesiastical and secular ministers mentioned in this despatch, to report to me on all occasions when a fleet sails, and on all other occasions that offer, that they have placed in practice what is expressed and mentioned by the above-mentioned laws, and of what they shall continue to do in their observance and punctual performance, and the result thereof; for it is so important for the end which is proposed and so to the service of God and myself, to be informed of the results which I hope will follow from the observance and fulfilment of the abovesaid laws. Given in Madrid, June 20, 1686.

I THE KING

By order of the king our sovereign:

ANTONIO ORTIZ DE OTALORA

⁹⁶ Barrantes (*Instrucción primaria*) remarks that this penalty was always a dead letter, whenever such a charge was made, it being only formal.

COLLEGE-SEMINARY OF SAN FELIPE

I



Decree of King Felipe V to the royal Audiencia of Manila, in regard to a seminary which the king ordered to be founded in that city.

President and Auditors of my royal Audiencia of the city of Manila, in the Filipinas Islands: By a despatch of April 28, of the former year, 1702, I ordered the master-of-camp, Don Domingo de Zabalburu, then governor and captain-general of those islands, to order the foundation in that city of a seminary with the number of eight seminarists; the cost of its building and support to be met from the assets proceeding from the vacant bishoprics of those islands. There was also to be applied for this purpose what might be necessary from the tithes. In case what was assigned for these expenses was insufficient, the sum lacking was to be supplied by my royal treasury. I advised him of the equity with which he was to work in this matter, which should be with the advice of the archbishop of that metropolitan church (to whom the same charge was made). He was to inform me of the advance made in the foundation of the above-mentioned seminary.

But not learning from him what he has spent, the apostolic nuncio who resides in this capital has informed me of the news that his Holiness possesses (by report of Cardinal Tournon,⁶⁶ after conferring with the archbishop, Don Diego Camacho y Avila, at present bishop of Guadalajara) of the progress of the seminary founded by the above-mentioned archbishop in that city, and that Abbot Sidoti⁶⁷ (one of the missionaries who went to China) in the time when he was detained there [*i.e.*, in Manila] in order to pass to Japon, settled the differences existing between the governor and archbishop, and that they had delayed this foundation. That foundation was then much advanced by the means which he applied therefor, and the copious alms which were contributed by the faithful, especially by the inhabitants of the islands near that city, who had given to the abovesaid abbot for that purpose, all the wood which was necessary, and had paid seven hundred men for its cutting and transportation. With that wood a large edifice was built near the church and archiepiscopal palace. At the rate at which the work was advancing, many were encouraged to enter the seminary in which were more than eighty seminarians. Some of them were those appointed by the above-mentioned my governor, as my vice-patron. Others were supported by the assistance of their parents, and others by the piety of the faithful. For that reason the archbishop needed teachers to devote themselves to the education of that family, and his Holiness praising the pious mind with which at my expense (as protector of religion) its promotion has

⁶⁶ See VOL. XXVIII, p. 118, note 56.

⁶⁷ See VOL. XXVIII, p. 118, note 57.

been begun in those islands, and desiring that the gospel law be more defended in them every day, he had condescended, at the instances of archbishop and governor, and had given permission to Cardinal Tournon so that he might send to the assistance of the above-mentioned seminary one of his apostolic men, of tried virtue and ability, so that, it being my royal pleasure, he might be employed in instructing those recently converted, and in educating all who come from the neighboring kingdom in the gospel doctrine. Since that intent is so pleasing to God (since its purpose is to extend His true worship) his Blessedness trusted that it would be acceptable to me, and that I would give order for the furnishing of the fitting means, in order that so worthy an undertaking might be perfected and maintained, since by means of it the rearing in my domains of apostolic men would be obtained with the education of the greatest consideration, and the veneration due my royal person. Without prejudice to the seminary, and to the advantage of that city, very worthy subjects [it was represented] would graduate therefrom for the ministry of preachers, and for the office of parish priests, and those islands would be provided with very worthy subjects who would perform the duties of the apostolic institute, without there resulting to my royal treasury the vast expense of their transportation to so remote provinces, and of their maintenance therein. That representation having been examined in my Council of the Indias, and they consulting with me in regard to it, I have resolved to give notice of these things (as is done by the despatch of this day) to my governor and captain-general of those islands, telling him our great astonishment that that

news has arrived by the medium through which it has been received, without his predecessor (in fulfilment of his first and due obligation) having informed me of so unexpected an innovation as that of having admitted into those islands foreign persons, to whose active effort the Roman court has been able to attribute the progress of the conversions and the propagation of our holy faith, when the principal consideration of my Catholic zeal consists in the despatch and support (at so great expense to my royal treasury) of the great number of learned missionaries of the orders which are established in those islands; that what the above-mentioned governor permitted is so contrary to the obligation and fulfilment of that purpose, as is manifest in the displeasure with which I view the fact that he allowed (with so great offense to my service) the excessive number of seminarists who have been received in the new college, many of them not being my vassals, but foreigners, who are admitted without my express license; that I should hear this great innovation and those harmful acts by other medium than that of my vassals and ministers; and that the conditions established in the foundation which I resolved with so great anticipation should be made, were altered. I order and command that, as soon as the despatch which is sent is received, without the least delay, all the foreign seminarists in the said seminary shall be immediately removed therefrom; and of those who shall be my vassals, those in excess of the number of the eight whom I have preferred, for whose support the calculation has been made, by settling the suitable compensation with the teachers. Those who desire to be admitted as boarders shall not exceed

sixteen in number, because of the inconveniences that would result from giving a greater extension to their entrance into the territory where there are so few Spanish inhabitants, in which it is necessary for the natives to apply themselves to the cultivation of the fields and the industries of the community without anyone being able to enter without your license, as my vice-patron. Especial care shall be taken for the encouragement and aid by all possible means for the progress and completion of the seminary, which I have founded, so that it may exist in the form and according to the laws established for that purpose, without violating those laws in any manner. The persons who aided in the building of the new seminary in good faith with edifices, incomes, and other things, which they liberally applied and gave for it, shall be petitioned to condescend to apply it all for the seminary which I have ordered to be founded. That seminary is to be maintained in the form above-said. In case that such persons do not agree thereto, they shall be paid the just price of all that which shall be esteemed useful and advantageous to the above-mentioned seminary. That which shall be considered as useless for this purpose, shall be restored to its own owners, in the manner which may be suitable, excepting the edifices which might not be necessary and which must be destroyed. Not less is the innovation and wonder that has been caused that, on your part, I have not been informed of what was done in the above-mentioned seminary, contrary to what I have determined and established for its foundation, incurring also with your undue tolerance and forgetfulness of the fulfilment of your obligation and ministry the same guilt as the gov-

ernor, and my displeasure. I have desired to inform you of it and to order you (as I do) that in case the above-mentioned, my governor and captain-general, does not fulfil the above expressed, my resolution, with the exactness and in the form which has been ordered him, you shall execute it without permitting the least delay, because of its great importance to my service. You shall inform me of all that may conduce to the success of this matter, in order that I may be thoroughly advised of it. Given in Madrid, March 3, 1710.

I THE KING

By order of the king our sovereign:

DON FELIX DE LA CRUZ HAEDO

Lower down are five rubrics.

II

[Concepción has the following in regard to this seminary and its founding, in chapter xiii, vol. viii.]

12. Another matter even more delicate, and which irritated even more the just annoyance of our monarch Phelipe Fifth, was that in which Señor Tournon took part with even greater ardor, and the results of which fell heavily upon the governor and the archbishop. April twenty-eight, one thousand seven hundred and two, a royal decree was sent to this government, in which was mentioned the receipt of a letter from Don Juan Fausto Cruzat y Gongora, dated June thirteen, seven hundred, in observance of a royal despatch of ninety-seven, which ordered him to report as to whether there was a college seminary in the metropolitan church of Manila, and in case

Fielos de los Vasallos Escamos. Comr. C. S. Des. de
 Bazumbaga Contram. C. Manila, y Leonis 1.º 1715

D. R. P. de N. M. sus mas afectos
 Capres y Venados Vasallos =

J. Bern. de San Juan
 J. Fernando de San Pablo
 J. Diego de San José
 J. José de la Concepción
 J. Augustin de Sta Rosa
 J. Alonso de San Gabriel
 J. Roque de la Madal. de Dios
 J. Lorenzo de San Ju. Baptista

J. Diego de San José
 J. Joseph de San Juan Baptista
 J. Gabriel de Sta Rosa
 J. Manuel de Sta Juana
 J. Manuel de Sta Juana

Signature of Juan de la Concepción, et al.

[Photographic facsimile from original MS. in Archivo general de Indias, Sevilla]

ATLANTA

there was none, what its foundation and maintenance would cost. In the above-mentioned letter, Don Fausto reported that such a foundation was unnecessary. However, his Majesty, with a spirit of liberality and zeal, resolved upon the foundation with the number of eight seminarists for the time being. Its foundation and maintenance were to be paid from the ecclesiastical incomes. The decree ordered that, after conferring with the archbishop, the account of its cost should be made and the necessary means should be applied for that purpose from what was yielded by the vacant bishoprics. The amount that could be realized from the tithes was also to be ascertained, and [it was to be stated] whether they met the necessary expenses. For it was his royal intention that they should be preferred rather than that it should be at the cost of his royal treasury and estate. The king relied on the governor's carefulness and accurate direction that he would treat discreetly and economically concerning such expenses, which must be made with all the advisable benefit and saving. Whatever he did, and what result it had, was to be reported promptly. Another royal despatch was sent to the archbishop. In it his Majesty orders and resolves that, inasmuch as the sacred canons and pontifical briefs provide for a seminary for young men in all the cathedral churches, in order that they may become proficient in the sciences, and apply themselves to and assist in divine worship, therefore in fulfilment of them, his Majesty having been informed that there was no such seminary in Manila, he desired one to be founded from his royal treasury in the metropolitan church. For the time being it was to have eight

seminarists, and the decree goes on to repeat the orders communicated to the king's governor for that purpose. These despatches gave advice of the preceding reports of the government to the effect that no such seminary was necessary, as well as of that of the archbishop who was of the opinion that the cost should be met from the pensioned curacies, in proportion to their ecclesiastical allowances. His Majesty determined that the foundation and maintenance should be met not from the pensions of the curas, as such was not stipulated by the Council of Trent, but from the ecclesiastical incomes which the crown enjoys, by virtue of pontifical bulls, the balance being supplied from his royal treasury. Inasmuch as his immunity might be prejudiced, his Majesty advised his governor of the communication with the reverend archbishop, thus avoiding disturbances and litigations in regard to the net amounts [*liquidus*] with the assignment in the ecclesiastical effects, such resolution being merely informative and not executive. The execution is charged only upon the governor, as is immediately inferred from what the royal despatch says: "You shall give me information of what you shall do, and its result." The decree addressed to the archbishop does not say this, from which it is evidently deduced that his Majesty's wish is that the communication to the archbishop is merely economic, in regard to the savings of the royal treasury, and authoritative, in the application of such ecclesiastical properties, so far as may be necessary.

13. The amount of the tithes and vacancies was, in fact, ascertained in the execution of the decree with the aid of his Excellency, Don Diego Camacho.

It was found that the tithes, as a general rule, are not collected in these islands; and that those which are received regularly from some estates, do not exceed the sum of four hundred pesos per annum, and they are received by the cathedral church through a concession. The vacancies not proceeding from the products of curacies, could only be in the allowances with which his Majesty aids the bishops for their suitable support from the effects of his royal patrimony, exempt from the obligations by which the tithes, as ecclesiastical incomes, are accompanied, because of vacancies, and are to be converted into benefit for the new prelate, church, and pious uses. However, investigation was made of the vacancies of such stipends, and it was found uniformly in the certifications of the royal officials that they were converted as though they were tithes; and that they were applied to the holy church for its building fund, and for the aid of the archbishops and bishops who had come to these islands, as an aid in the pontifical expenses, and to furnish their household furniture and other things in a fitting manner. Only one vacancy of one of the bishoprics was then found without pay warrant, but its warrant was expected immediately. And although this and the subsequent vacancies were obtained in three payments, those payments were already applied to the expenses of the professors, both those which came from the royal treasury and those of the church fund, and maintenance of such college seminary, which necessarily became perpetual without reintegration being made in whole or in part.

14. The conditions of the first foundation were changed, very much against the intention of his Majesty, by the arrival at Manila of the patriarch,

Don Carlos Thomas Maillard de Tournon. The right reverend Camacho came to terms with that gentleman, who took a hand in that college, and altered its foundation, by increasing it with foreign seminarists without the intervention of the vice-patron. Several alms which had been collected were applied to the maintenance of seventy-two collegiates who were to be of all nationalities. A new and showy building was provided for on a site opposite the archiepiscopal palace. For this enterprise was also applied a portion of certain alms which had been collected by Abbot Sidoti, amounting to twelve thousand pesos, which were given into the care of the financial board of the Misericordia, in order that they might yield a suitable return, and their products in the investments realized were applied by the said abbot to various pious purposes, one of them being that of the seventy-two seminarists. His consideration for the apostolic visitor and patriarch, and for the powers promulgated for all by the Apostolic See, reprehensibly restrained Señor Zabalburù in the performance of his duties.

15. This was aided by seeing the archbishop so greatly in harmony with the patriarch. This fact also intimidated the royal Audiencia, so that they passed the matter by with most criminal carelessness in so peculiar and irregular proceedings, and the rights so suitably belonging to the monarch were violated very shamefully. With such condescension, the archbishop passed to the remarkable audacity of influencing Señor Tournon, to report by common consent all that had been done to his Holiness, so that the latter might approve the excesses independently of the royal patronage in the increase of

teachers because of the lack which he considered in the education of the collegiates, and apply for their salaries the various alms which he had gathered, and for the maintenance of seventy-two seminarists who were to be of all nationalities, and for the new building. The government and the royal Audiencia were so remiss, that such information came to his Majesty's ears through the nuncio of his Holiness who resided in his court, to whom the patriarch and the archbishop had communicated it. His Majesty wondered that his governor Zabalburù had not informed him of so weighty an innovation in the progress of the seminary, and that he had not given information regarding the observance of the royal decrees, in which his [*i.e.*, the king's] watchful zeal had proposed the foundation of the seminary college.

16. So angry was the court against the right reverend prelate Señor Camacho, where his connivance with the patriarch was so displeasing, that he was removed from this metropolitan see to the bishopric of Guadalajara in Nueva España. He went thither in the year one thousand seven hundred and six, to take possession of his government. He was a zealous and charitable archbishop. From the due salary of his predecessor, Señor Poblete, from various alms given by the king, and from those given by pious private persons, his zealous diligence got together more than forty thousand pesos. He spent them in this holy church of Manila in its decoration and ornament. He gilded the reredos, beautified the choir, enriched the sacristy with chalices and ornaments, and as well built the excellent steeple from its foundations, and other things. More than twenty thousand pesos were pledged in these expenses

and in various alms. He was a vigilant shepherd, and if the violent controversies above mentioned which he had with the regulars occurred, he can very easily be excused in what did not exceed the authority and dignity of his office. He promoted the missions of Paynaan and San Isidro, where he went in person to induce the Aetas or Negritos to become converted. [Other facts concerning the life of Camacho follow.]**

18. No arbitrary measures were taken. His Majesty gave place to the anger that had been conceived, and the representation of the nuncio was examined in the royal and supreme Council. His royal Majesty having been informed concerning the matter, resolved in his royal despatch that the admission of foreign persons into these islands for such a purpose was an unexpected innovation, and to whose active diligence the Roman court might attribute the progress of the conversions. In that his royal zeal might be seen to be corrected, since his principal consideration in his Catholic zeal, was to send and to maintain at so great cost, a great number of ministers chosen from the orders which had been established in these islands. What had been permitted by Governor Zabalburù was to the great violation of the obligation and fulfilment of such a purpose, and the displeasure with which his Majesty viewed the fact that so offensive an act had been allowed against his royal service in the excessive number of seminarists was harshly manifested; as was the fact that foreigners who were not his vassals had been received in said college, and admitted without his royal and express

** See documents concerning the Camacho controversy, in VOL. XLII, pp. 25-116.

license; and the fact that he had heard that great innovation and those prejudicial proceedings through other mediums than those of his ministers and vassals: thus having altered the conditions which he had resolved should be made so long before.

19. His Majesty orders and commands his [*i.e.*, Zabalburú's] successor in the government, Count de Lizaraga, as soon as he received this despatch, and without the slightest delay, to immediately remove all the foreign seminarists from such seminary; while of those who should be his own vassals, all those in excess of the number of eight, whom he had preferred, and for whose support the calculation had been made, by deciding with the necessary teachers upon the suitable allowance, if they desired to enter as boarders, they could not exceed the number of sixteen. [This was done] in order to avoid the troubles that might result if the privilege of admission were extended farther, in a territory where there were so few Spanish inhabitants, where it was necessary for the natives to apply themselves to the cultivation of the soil, and the industries of the community. It was to be noted that no one could enter without the permission of the vice-patron, to whose activity he charges the especial care, and orders him to aid by all means possible the progress and conclusion of the seminary, which he had founded, in order that it might subsist in the manner and according to the laws established, without transgressing those laws in any manner. He was to arrange with the persons who with good faith assisted in the said building fund, with incomes, edifices, and other things, which they applied liberally, in order that they might condescend to apply the whole to what his Majesty had

ordered to be erected. In case they did not agree thereto, the just price was to be paid them, of whatever should be considered useful to the said seminary, while what might be considered useless was to be returned to its owners, in the best and most fitting form, except the buildings, which were to be necessarily destroyed. His Majesty insists that he be informed as quickly as possible, because of its great importance, of the observance of his resolution. For the same purpose, he orders the same of his royal Audiencia, by a despatch of the same day, and orders that decree to be read annually at the opening [of the seminary] in January (as is done), in order that it might be exactly observed and in order to avoid such intrusions, to the great prejudice of the supreme rights and privileges.

20. In fulfilment of that royal decree, the investigation of the alms gathered by Abbot Sidoti was made. The application of those alms, by virtue of the conditions of the pious foundations, could not be used for the support of the eight seminarists, who were appointed at his Majesty's account; nor to aid the expenses of the royal treasury in the new building of the college on the site of the houses sequestered from [the property of] Licentiate Don Manuel Suarez de Olivera. The inhabitants who had contributed to the building fund and incomes with their alms were asked that such be allowed to be freely applied to the college ordered to be erected by his Majesty. In such an innovation, greater expenses were incurred by the royal treasury on the site opposite to the archiepiscopal palace and solicited by the governor and archbishop, because the purchase and expense of timber and its haulage were effected at a

cost of four thousand pesos which were paid on the account of the royal treasury to General Don Miguel de Eloriaga so that they might be spent with the intervention of the said abbot. That is evident in the records of the account of said general presented and sworn to, in regard to such expenses, with an attestation from the said Sidoti that it was true. Thus that was a superfluous expense on the royal treasury. For although a portion of the timber bought for that money was used for the addition to the new building on the site next the sequestered house of Licentiate Suarez, in order to give greater extension to the college, very little of it was useful, and did not amount, together with that which was sold, to two thousand pesos in value. The remainder was lost with the purchased and abandoned site which was used for nothing. That could have been built with four thousand pesos if the building attempted opposite the archiepiscopal palace had been left out of the question. In that the cost to the royal treasury was about six thousand pesos, the annual maintenance aggregating one thousand two hundred pesos, without noting the necessary expenses for physician, apothecary, and other things, plus two hundred pesos for two professors in philosophy and theology.

21. His Majesty also resolved to order and command his governor, as soon as he received that despatch, to order and take measures, as was most advisable and efficacious, to suppress the name of San Clemente which had been given to the seminary by the abbot, and to change it into that of San Felipe, in order that no remembrance might be left of the sinister reports of which his Holiness had been in-

formed to the discredit of the royal and earnest zeal in providing measures for the advance of religion, without giving the slightest motive for so peculiar and special influences. The fitting measures for the change of name were really taken, and that fact was recorded in the books of the accountancy and of the said college. The archbishop, dean, and cabildo were informed thereof, in order that they might properly observe it.

[As punishment for his omission, Governor Zababurú was dismissed, although his term was already ended, as were also the auditors. The governor was a just man, but his intimacy with the Jesuits caused him to be distrusted.]

[Chapter xiv contains the following in regard to this seminary.]

2. During his government [*i.e.*, of the new archbishop, Fray Francisco de la Cuesta, of the Order of San Geronimo] arrived the resolution regarding the seminary college of San Phelipe. Its erection was entrusted to his Excellency, Señor Cuesta. He having made the foundation, proceeded to draw up its rules, which being milder for the seminarists, corrected those of the most illustrious Camacho. However, most of them were not in accord with the royal patronage, and its rights. His Excellency incurred the inadvertence of prescribing in the second of his rules that the escutcheon of the royal arms should be placed on a prominent spot, while in the interior or in any other part of the said seminary, were also to be placed the arms of the archbishop. In doing so, he said that he was in accord with the second law of the first book and twenty-third título of the *Recopilación*** of these kingdoms. That would be

** This título, containing fifteen laws, is entitled, "Of colleges

allowable if the seminary had been founded at his cost, or at the cost pro rata given by his prebendaries and others who are mentioned in the Council of Trent. In that he claimed the right of private patronage, reserving for his Majesty only the universal patronage. That was a surprising resolution, since the archbishop himself confessed that the seminary had been founded at the expense of the royal treasury, while the placing of escutcheons and arms signifies one's private expenses and special zeal; when his Majesty, without any controversy, is the sole founder. Therefore its foundation was purely lay, and in such concept, beyond any question the universal and private patronage belonged to his Majesty, as it was founded at the expense of his royal patrimony. Still more harmful were the fourth and fourteenth rules, in which it is declared that the nomination and election of the collegiates is at the disposition of the ordinary, after conferring and obtaining the opinion of the prebendaries; as is also their expulsion in the case of incorrigibles, after their rector has informed the ordinary of such: although that nomination and expulsion belonged very properly (and exclusively) to his Majesty, as its foundation was not couched in the terms mentioned by the Council of Trent. To him could only pertain by delivery and by royal disposition their spiritual government, because of the greater care in investigating and restraining their morals. The error of his Excellency was notable in this regard, for although the governor petitioned

and seminaries." Law ii dated Segovia, June 8, 1592, reads as follows: "Our royal arms shall be placed in college seminaries, and shall have the most prominent place, in recognition of the universal patronage which belongs to us by right and apostolic authority throughout the state of the Indias. We permit prelates to place their arms in an inferior location."

that he be given possession of such seminary, in the name of his dignity and of his church he declares that the appointment of rector, administrator, and master is in the first place, a right of the superior government by virtue of the laws of the royal patronage, and that he deign to make provision of such posts in persons justified and qualified as most fitting. For being univocal and in accord with the doctrine, founded on laws, the naming and disposition of the collegiates ought also to be private.

3. No measures were taken for the time being to revise the rules, especially the ones mentioned, conforming them to the royal patronage. The practice continued of the ordinary giving the despatches and titles in his provision, until the report of Señor Cuesta to the government asking that the two professors of philosophy and theology might be removed, as he considered such chairs unprofitable. He represented that as a charge on his conscience, asking that fruitless expenses might not be continued for the royal treasury, thus opposing the two professors at that time. The matter was given to his Majesty's fiscal for examination, at that time Señor Vedoya. His reply was that those professorships ought to be suppressed because of the reasons alleged; namely, because they were costly to maintain and of none effect. Thereupon, his Majesty's fiscal reported the special measure of the royal decree of foundation, which provides that no one shall enter the said college without the express license of the vice-patron; that the rules cited were harmful to the universal and private patronage, and that with the opinion of the assessor, an express clause should be added to the above-mentioned fourth rule, by which in order to be admitted

into the seminary, the collegiates were to be presented to the vice-patron, and the permission petitioned which is provided by the royal decree. The government in accord with that opinion, and with that of the assessor of the same tenor, informed the archbishop of the measure. The latter replied that from the time of the receipt of the decree, no nomination had been made, or any election of collegiate or boarder of those who had been admitted, as no advice of such circumstance of license for entrance into said college had been given. In answer to his reply the fiscal insisted with strong reasons that the royal patronage, both universal and special, be put into due practice, without allowing errors in the appropriation of the appointments and approvals in the entrance of collegiate seminarists. To the ordinary was alone left, by virtue of his trust from his Majesty, the government and administration of the collegiates, for the greater security in the investigation of their qualifications and morals. That was done, and the royal patronage was left in power.

[See also the fuller account given by San Antonio, in VOL. XXVIII, pp. 117-123; Concepción's *Historia*, x, pp. 170-184; and Martínez de Zúñiga's *Historia*, pp. 518, 519. Concepción says that the king resolved, January 27, 1714, upon the erection of three chairs, for laws, canons, and institute, respectively, to be appointed by competitive examination. These were for the purpose of educating the natives for the cathedral dignities. The despatch concerning this matter was received in Manila, in August, 1717. With the decree of July 26, 1730, the seminary virtually came to an end.]

COLLEGE OF SAN JUAN DE LETRAN

Of the removal of the college of San Juan de Letran of Manila

On May 8 of this same year, 669, the college of San Juan de Letran was moved to the site on which it is even yet located. It had its first beginning in the house of a pious Spaniard, called Juan Geronimo Guerrero, who had dedicated himself, with Christian piety, to gathering orphan boys in his house, where he raised, clothed, and sustained them, and taught them to read and to write, and much more, to live in the fear of God.¹⁰⁰ His piety was aided by many citizens, who offered him abundant alms. Especially was the governor, Don Sebastian Hurtado de Corcuera, earnest in aiding him and helping him by giving him, in the name of the king our sovereign, some portion of the cost for so holy a work. Among other things, he gave him an encomienda,¹⁰¹ in order to sustain the orphans with its products; and a bit of homestead or arable land, one hundred brazas long

¹⁰⁰ A petition from Guerrero (see VOL. XXII, pp. 108-111) for royal aid shows under his charge more than fifty boys in August, 1626. It was accepted by the Dominicans, June 18, 1640. Hence the statement of *Census of Philippines*, iii, p. 599, that it was founded in 1640 is not strictly correct.

¹⁰¹ The encomienda of Bignotan, in Ilocos. See *Archipiélago Filipino*, i, p. 343; and VOL. XXVIII, p. 139.

and fifty wide in the alcaycería or Parián of the Sangleys, in order that they might erect shops therein without paying any land tax to the city. Both concessions were afterwards confirmed by the king our sovereign and his royal Council.¹⁰²

While that good man was employing himself in so holy a work, a lay-brother religious, a porter of our convent of Manila, called Fray Diego de Santa Maria, a man of example, virtue, and perfection, was doing the same also. He gathered orphan and abandoned boys in the said porter's lodge of the convent, and reared them in holy and praiseworthy customs. He clothed and sustained them with alms, which some devout persons gave him, and taught them their first letters; and, if any were inclined to study grammar, he sent them to our college of Santo Thomas which is very near the said convent. So many were the boys who were gathered that a congregation was formed of them. The said lay-brother religious gave that congregation the name of San Pedro y San Pablo; for all were clothed in one single manner, and all kept one form of life, with so great example to all the city that the admiration of all its citizens was won. And this is not much, since that work of charity was so agreeable to the eyes of God, who, in order that one of His servants might see and wonder at it, worked a prodigious miracle. It happened that a citizen of Manila made a journey to the city of Lima, where resided the venerable brother, Martin de Porres, in our convent of El Rosario; and as that servant of God was so charitable, he was very much pleased to have others so. That citizen of Manila, by name Francisco Ortiz, told him

¹⁰² See also VOL. XXVIII, pp. 139, 140.

that he knew a lay-brother religious, a laborer of this place of Manila, a man of most holy life, who supported with alms twenty-four orphan boys, whom he had gathered, and was teaching them to read and write. And the most especial thing which was admired in him was that he never went forth from the convent in search of those alms, but that our Lord directed them to him in order that he might carry forward the work of charity, which he was doing with the said poor boys. The servant of God hearing that gave him to understand that he desired greatly to know and to treat with that holy lay-brother, who lived in this city of Manila at a distance of three thousand leguas from the city of Lima. After three days, Francisco Ortiz returned to visit the servant of God, whom he found very cheerful and happy. Smiling the latter gave him to understand that he had already seen and talked with the said lay-brother religious of Manila, and had encouraged him to proceed in so pious a work. What most astonished Francisco Ortiz was to hear the servant of God talk the Chinese language, which the Sangleys of this country used, as will be related more in detail in the life of the servant of God, Martin de Porres.

The pious Juan Geronimo Guerrero, founder of the college of San Juan de Letran, reached old age, and even a decrepit old age. Consequently, he became incapable of governing the orphan boys whom he had gathered. For, lacking and fearing but little the punishment which youth demands for its better direction, they took it upon themselves to leave the house whenever they wished, and to run away, contrary to the pleasure of their patron. Consequently, he was left finally with only three, who either from

love to their master, or because of a better natural disposition, did not follow the others. In order that they might not be lost, he entrusted them to our brother, Fray Diego de Santa Maria, with whom he had a very close familiarity, inasmuch as he saw him engaged in his same employment. In order that the brother might take care of them, and of his own children, he gave him an allowance and gift in the form of the concessions which the king, our sovereign, had conceded to him. That cession was accepted by the governor of the islands, and afterward confirmed by the king our sovereign. The same favors were conceded to our order, so that it might take charge of the rearing of those orphan and abandoned boys. Juan Geronimo Guerrero, finding himself free now and exempt from that occupation, thought only of preparing himself for a good death, and accordingly begged the father prior of our convent to receive him, and to take care of him in his infirmary. Not only was that conceded to him, but, seeing him with the desire to adopt the habit of our order, gave it to him as lay-brother, and he died as a professed religious of our order.

This province finding itself pledged with the prosecution of the rearing of those orphan boys, assigned for them some low quarters which were near the porter's lodge of our convent of Santo Domingo. That site already had the form and name of a college with the title of San Pedro y San Pablo, which it had had from the beginning. Under this title the college was confirmed by our most reverend father master general, Fray Thomas Turco. But inasmuch as the concessions of the king our sovereign were made under the title and name of the ancient college

of San Juan de Letran, founded by Juan Geronimo Guerrero, and had been accepted under that title by the king our sovereign, who received it by various royal decrees under his royal protection, on that account even yet it has conserved the title of San Juan de Letran.¹⁰³ However, it also recognizes as patrons the apostles St. Peter and St. Paul. For the government and direction of this college, the venerable father, Fray Sebastian de Oquendo,¹⁰⁴ prior at that time of the convent of Santo Domingo, who had charge of the college then, made them some very holy, but very strict statutes, for they were taken quite exactly from the rule of our father St. Augustine. But, since they were not obliged to attain so great perfection, and still being but boys, were not able to show so much, after some years, the said statutes were revised in a provincial chapter of this province. Thus did that college maintain itself for some years in the low quarters of our convent of Santo Domingo of this city. So greatly did the number of those boys increase that they sometimes surpassed two hundred, and since there were so many, and they were boys, one can understand the racket that they must have made, which could not but be an obstacle to the

¹⁰³ *Census of Philippines*, iii, p. 599, says that the college retained the name of "Seminary for orphan children of Saint Peter and Saint Paul," until 1706, when it adopted its present name by virtue of a provision of the provincial chapter of the Dominicans; but as seen here it was known under its present name very early, and probably the name was only fully legalized by the provision.

¹⁰⁴ Fray Sebastián Oquendo was a native of Oviedo, where he professed. He became lecturer in philosophy and theology in the Manila convent. In 1637 he was vicar of the Parián, and in 1639 prior of the Manila convent. He was twice definitor, minister of the natives in the Manila convent, and lastly vicar of the hospice of San Jacinto in Mexico from 1645 until his death in 1651. See *Reseña biográfica*, i, p. 375.

regularity of a religious convent. Consequently, the province discussed the question of placing them in a separate house, which was located opposite the church of the said convent. They arranged in that house all the necessary rooms for a college, and its church, and belfry, in order that they might there celebrate the divine offices; for thus it was conceded expressly in the licenses of the ordinary, government, and city, which were made for the foundation of that college.¹⁰⁸

They lived in it but for a short time, for some great earthquakes happening in the year 1645, that college was entirely ruined, as well as many other buildings of this city. The city conceived so great a horror of those earthquakes that many of its citizens went to live in the suburbs, where they feared less danger of their ruin. That same reason was taken account of in the rebuilding of that college, and it was moved outside the city near the alcaycería or Parián of the Sangleys. With the alms that some benefactors offered, a college was built out of wood, with its church also of the same material, all very poor. At that site outside of the city the college was maintained for about twenty years, with notable discomfort to the collegiates, both because of the distance of the university where they had to go to attend to their studies, and because of the dampness and unhealthfulness of the land; and because of the nearness of the Chinese, who were not very good neighbors, both for fear of their insurrections, which were then very frequent, and because, being idolaters and heathens,

¹⁰⁸ Natives were admitted to the college some time after its foundation (1640, when the Dominicans took charge of it) upon the payment of certain tuition fees. See *Census of Philippines*, iii, p. 599; and *Archipiélago Filipino*, i, p. 343.

their nearness could not but be the cause of much scandal and a poor example to the collegiates. For these and other like reasons, from the first years that they were there, our religious began to discuss their removal and shifting. But, although they called several meetings to discuss the matter, and several plans were made for that purpose, they were never realized, for the college was very much in need of funds, for it scarcely had enough for its maintenance, until the seriousness of the harm, which was feared from keeping the college outside the city obliged the piety of this holy province to expend whatever was necessary for its removal. On the occasion of the death of a lady, named Doña Maria Ramirez Pinto, who had a new house inside the city back of the garden of the convent of Santo Domingo, the province determined to buy it, along with other houses which were near it. It gave those houses as an alms to the college for that purpose, and arranging in them all the rooms necessary for a community, with their church, choir, and belfry; for the licenses which were taken out in the year 1668 for that removal from the government, city, and ecclesiastical cabildo expressed such permission. When all the building was arranged in the form of a college on the above-mentioned day, May 8, of that year 69, the collegiates were transferred to it, with great pomp and solemnity, amid the joy and gladness of all the community.¹⁰⁶ For that was a matter that all desired,

¹⁰⁶ The present building is situated within the walled city, and covers a large area of ground. It is one of the best for this purpose in the islands, and is ample and well constructed. Formerly the pupils wore a habit consisting of a blue mantle and black sleeves. Since the beginning branches of primary instruction have been taught. At the beginning of the eighteenth century

as that college had always merited the general esteem of this city.

And in fact, that college is of great use to this community, not only as it shelters and rears therein all the orphan and abandoned boys, but also because any well-raised youth leaves that college, or seminary, for all walks of life in this community. Some adopt a military life, others a sea-faring life, and others the ecclesiastical estate, both monastic and religious, and from them are regularly supplied most of the curacies of these islands, and other employments more noteworthy, both in the ecclesiastical and in the political world. Excellent students leave that college, many of whom graduate not only with the degree of bachelor, but also with higher degrees. On the date of this writing, four sons of the college are living with the dignity of masters and doctors. They are occupied in honorable posts. Others are also licentiates in the arts. Always in all times the college has had worthy sons who have honored it, because in general they are very attentive to study, and observant of their obligation, and that fact is well known and believed throughout this city. It is surely a matter worthy of admiration that they make so great use of their studies, as they have many other duties

two courses of grammar studies were added, the college being declared one of secondary instruction in 1867. At the present time the first four years of secondary instruction are given there in accordance with the regulations of the university of Santo Tomás, to which all institutions in which secondary instruction was given were subject. Lessons are also given in music, drawing and gymnastics. The statistics of the university of Santo Tomás and San Juan de Letran showed 1,447 pupils in all for general studies, and 337 pursuing courses in secondary instruction. The latter is under the direction of the Dominicans. See *Census of Philippines*, iii, p. 599; and *Archipiélago Filipino*, i, p. 343.

and occupations which scarcely allow them time to study; for, besides some assistancies outside the college, inside it they have duties and so many employments of devotion, that one does not know when they study their lessons. In the morning, before or after mass, they recite a portion of the rosary, and afterward they go to the university. When they return thence they recite another portion. Also when they return in the afternoon from the university they recite the last portion of the rosary with a chanted *Salve*, and litany. Later in the evening before supping they also have other devotional duties. This is the ordinary employment every day. This seems not only not a little troublesome for a college of students, but also scarcely suitable for their studies; but this which apparently would be a hindrance and obstacle to their studies, conduces in reality to their application, or to the greater clearness with which they study. For, according to the public understanding and report, they graduate from that college better prepared than from others; and although they are lads, they attribute it to the special protection of the most holy Mary, because they recite to her every day in chorus their whole rosary. All live under that impression, and accordingly, although they petition for dispensation from other exercises, they never ask dispensation from that exercise of the rosary, because they have understood that that is what maintains them and keeps them in the progress of their studies. As proof of that I shall relate an event which was but lately told me by a doctor who was a collegiate of that college. He says that when he left the college to take up a certain employment, either with the liberty which is enjoyed outside it, or because of the

duties of his profession, he abandoned the custom, which he had until then observed, of reciting the whole rosary daily, contenting himself with reciting only a portion. He entered for the degree in theology, and for the literary duties annexed to that degree, applied himself very earnestly to his studies, but with so little fruit of his application that he could scarcely understand anything that he studied. "What is this," he said in surprise, "when I was in college did I not grasp whatever I studied? But what is this that is happening to me now that I can scarcely understand what I am studying?" Then he bethought himself of the fact of his error, and he understood the origin of his lack of intelligence. Consequently, he reformed his past lukewarmness, and again began to recite the whole rosary daily. By this diligence alone he found that he could grasp what before he could not understand. Mary is the most holy mother, not only of the fear and love of God, but also of learning and knowledge, as she herself says by the mouth of the Preacher. Consequently, it is not surprising that she communicates light for intelligence and for progress in their studies to those who pray to her as her sons and venerate her as a mother, and praise her in that devotion so pleasing to her.¹⁰⁷

¹⁰⁷ By the Moret decrees of 1870, San Juan de Letran was to be made a part of the Philippine Institute.

LAW REGULATING MARRIAGES OF STUDENTS

Royal decree ordering that pupils, students, and members of the universities, seminaries, and colleges for the Indians, subject to the royal patronage and protection, may not contract betrothal without the permission expressed.

The King. Inasmuch as I was informed by my royal Audiencia of the city of Méjico, in a letter of May twenty-seven, one thousand seven hundred and eighty-eight, that the bachelor, Don Manuel Esteban Sanchez de Tagle, collegiate in the royal college of San Ildefonso of that city, having attempted to contract betrothal with Doña María Josefa Barrera y Andonaegui, and his father, Captain Don Manuel Esteban Sanchez de Tagle, having opposed it, it would be advisable for me to deign to extend to those dominions the resolutions for these dominions, ordering that collegiates who are pursuing their studies may not marry without my royal permission, as their extravagance is regarded as prejudicial to the state; and inasmuch as the same reason militates there so that they may not take place without the permission of the viceroy as vice-patron: I have resolved, after consulting my full Council of the Indias of the three halls, on November six, one thousand seven hundred

and ninety, executed in view of that set forth in the matter by my two fiscals, that law vii, título viii, book i,¹⁰⁸ extended in the board of the new code be observed in those dominions. The exact tenor of that law is as follows: "Since the universities, conciliar seminaries, and other colleges of teaching, erected with public authority in our Indias, are under our royal patronage and protection; and since their students and pupils merit the most careful attention, so that they may not disgrace themselves in their courses and studies with prejudice to the state and their own families: we order and command such pupils, students, and members of said universities, conciliar seminaries, and other colleges and houses, not to contract espousals without, in addition to the paternal consent, or the consent of the person who ought to give it. According to the first law of this título, they have the license, those of the conciliar seminaries, of the archbishops and bishops and vicepatrons, and those of the universities and other colleges, of our viceroys or presidents of the respective audiencias, to whom they shall send their petitions or requests by the hand of the rectors, with report of the latter, since for this matter we delegate our royal authority to the abovesaid. All of the abovesaid shall be understood as well in the houses and colleges for women, which are under our royal protection and patronage. We declare null and void of all value or effect, betrothals which are contracted without this requirement, and no judgment or suit can be admitted in regard to their non-fulfilment in the man-

¹⁰⁸ Perhaps the *Nueva Recopilación* of Spanish laws, published in 1567. This law is not to be found at the location mentioned in *Recopilación de las leyes de Indias*. See Walton's *Civil law of Spain and Spanish America* (Washington, 1900), p. 21.

ner and form prescribed by the preceding law." Therefore, I order and command my viceroys, presidents, royal audiencias, and the governors of my kingdoms of the Indias, Filipinas Islands, and Windward Islands, and ask and request the right reverend archbishops and reverend bishops of them, and their provisors and vicars-general, to observe, perform, and execute, and cause to be observed, performed, and executed exactly, the contents of the above-inserted law of the new code, in so far as it concerns each one. Such is my will. Given in Aranjuez, June eleven, one thousand seven hundred and ninety-two.

I THE KING

By command of the king our sovereign:

ANTONIO VENTURA DE TARANCO

Three rubrics follow.

ROYAL DECREE ORDERING THE TEACHING OF SPANISH IN NATIVE SCHOOLS

The King. Don Rafael María de Aguilar, whom I have appointed as my governor of the provinces of the Filipinas Islands, in the district of my royal Audiencia of Manila: My Council of the Indias having conferred in regard to the measures which my royal Audiencia of Charcas,¹⁰⁰ in a report of March 7, 1777, stated that it had given for the establishment of schools for teaching the Castilian language in the Indian villages of their district, and in regard to what my fiscal declared in his report, resolved that when my royal titles are delivered to the governors or corregidores of those my dominions, they be advised in a separate despatch of what they are to do concerning this matter. Consequently, I order you to strictly observe the royal decrees that have been issued in general on May 10, 1770, November 28, 1772, and November 24, 1774, in regard to the establishment of schools for the Castilian

¹⁰⁰ A royal decree given first to the Audiencia of Charcas (January 28, 1778), was extended to the Philippines, November 5, 1782 (See Barrantes, pp. 68-73). The latter decree provides for the establishment of schools for the teaching of Spanish, the expense to be met from the proceeds from foundations, and from communal property.

language in all the Indian villages, so that they may learn to read, write, and speak Castilian, prohibiting them from using their native language, and appointing for it teachers in whom are found the qualifications of Christianity, sufficiency, and good deportment that are required for so useful and delicate an employment. They shall be assigned the salary for the present from the receipts of my royal treasury, by way of teaching fund [*preceptoría*] in the villages where this contribution is current, while what is lacking shall be paid from the communal properties and treasuries. You shall propose to your superiors the means which you consider most fitting for the solid establishment of the above-mentioned schools, and you shall order that no other language be spoken in the convents, monasteries, and in all judicial, extrajudicial, and domestic affairs than the Castilian. The justices, prelates, masters, and patrons of the houses shall keep watch over that. You are warned that if you do not perform your duty in this regard, for every omission which you shall make in the abovesaid, and in what pertains to the district of that province, it shall be made a charge against you in your residencia; and for that purpose, the advisable order is being communicated to the respective, my royal Audiencia.¹⁰⁰⁰ Given in Madrid, December 22, 1792.

I THE KING

By order of the king our sovereign:

ANTONIO VENTURA DE TARANCO

¹⁰⁰⁰ On the teaching of Spanish in the Philippines, see Patricio de la Escotura's *Memoria sobre Filipinas y Joló* (Madrid, 1882, pp. 1-30).

CONCILIAR SEMINARIES

I

SUPERIOR DECREE IN REGARD TO THE THREE PER CENT DISCOUNT FROM THE STIPENDS OF THE PARISH PRIESTS FOR THE SUPPORT OF SEMINARIES

A measure having been formulated, in accordance with the royal decree of February 27, 1796, in regard to the exaction of the three per cent, which is to be paid by all the parish priests of the stipends which they enjoy in these islands for the foundation and support of the conciliar seminaries,¹¹⁰ according to the order of the Council of Trent, I determined in consequence the following:

"Manila, July 30, 1802.

"By virtue of the fact that, with the order of the fiscal of civil affairs, all the objections and obstacles which have been imposed in behalf of the regular parish priests and devout provincials of the religious orders in a meeting of other persons, to exact the

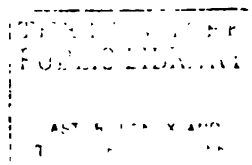
¹¹⁰ Law xxxv, título xv, book i, reads as follows: "We order that, in accordance with the holy council of Trent, the missionary religious pay contributions for college-seminaries, as the other clerics, beneficed persons, prebendaries, hospitals, and confraternities do, and are bound to do, in the manner that is and shall be assigned. We ask and request the secular prelates to have it obeyed exactly and punctually, and to warn the religious that if they do not observe it, they shall be removed from the missions." It is dated May 1, 1609.

payment of three per cent of their stipends for the conciliar seminaries; and by the royal decree of June first, ninety-nine, the door is shut to all contradiction in so far as it declares that it must be paid by the missionaries of the Order of St. Francis,¹¹¹ and that the exaction shall be in money and not in kind, with warning that in the city where there are no seminaries, the collection shall also be made, and its result deposited in the cathedrals in a chest with three keys, which shall be held by the vice-patron, the bishop of the diocese, and another member of the cabildo: I have just resolved in consequence of the definitive statement of my assessor-general that the superior decree of November twenty-five, one thousand seven hundred and ninety-nine, shall have its total and due effect. That decree was communicated on the same date to the diocesans of Cebú, Nueva Cáceres and Nueva Segovia, the venerable dean and cabildo of this holy church, the provisor of the archbishopric, and the devout provincials of the orders of St. Dominic, St. Francis, St. Augustine, and the Recollects. It is modified to the effect that the above three per cent shall be collected generally, not only in this capital and the bishoprics of Cebú and Nueva Cáceres, but also in that of Nueva Segovia, which had been excluded before. It must be established immediately, and the sum derived from it must be deposited in the above-mentioned chest with three keys, according to the terms of the above-mentioned

¹¹¹ Law vii, título xxiii, book 1, dated El Pardo, Nov. 8, 1594, reads as follows: "We order our royal officials of Peru to discount three per cent of the stipends given to the religious missionaries of the Order of St. Francis, which in accordance with law xxxv, título xv, of this book the seminaries are to have, in money and not in kind, and to give the remainder to the religious."



A Cebú coal mine
[From photograph procured in Madrid]



royal decree of June first, ninety-nine. It must be satisfied with money and not in kind; and for that purpose, the necessary official letters shall be sent with insertion of this decree to the bishops, the venerable dean and cabildo, and the provisor of Cebú in vacant see, and the devout provincials, this superior government expecting that by reason of all the above-said fundamentals other difficulties will cease to be offered in the future."

As thereafter fuller instruction was given because of what was shown in the reply of his Excellency, the bishop of Nueva Segovia, in regard to the building of the seminary of his diocese; and considering the information given by the royal officials in regard to the method to be observed for putting into practice the abovesaid exaction: I have resolved in general upon the following, which I send to you with that superior determination for its fulfilment and observance in the part touching you.

Manila, March 26, 1803. Since the collection of the three per cent, assigned to the seminaries in the manner prescribed by the royal decree of February twenty-two, one thousand seven hundred and ninety-six, is now determined to include all the parish priests of these islands with the exception of the hospitals, according to the declaration of June first, ninety-nine; and that in the cathedral churches where said seminaries are not established, they be founded, without prejudice to the fact that the above-mentioned three per cent shall be collected in the meanwhile, and deposited in a chest with three keys: it only remains to advise that one of these keys shall be held in Nueva Segovia, by the bishop of the diocese, another by the alcalde-mayor, and the third

by the father sacristan placed or appointed in that church. It is to be noted that the chest shall be kept in the episcopal palace, and when the see is vacant it will go to the royal house, where the alcalde-mayor lives, for its due safety. This same order must be kept in the bishoprics of Cebú and Camarines, and information shall be given in this regard to the respective bishops; although since the first see is vacant it shall be given for the present only to his Excellency, Don Fray Domingo Collantes, who has charge of its government; and in case anything inconvenient is found in its execution, he shall have the goodness to inform this superior government in regard to what he should esteem convenient according to the situation of each church. The three per cent shall be collected by the alcaldes-mayor of Ilocos, Camarines, and Cebú, as subdelegates of the government, and the proper discount shall be made for each of the parish priests at the time of paying them their stipends, and the sum shall be placed in the above-mentioned chest in the presence of the other keyholders. For that purpose they shall send to them the proper advice, with the assignment of the day and hour in which it must be done, at the disposition of his Excellency, the prelate, and when the see is vacant, to those who shall have his key. Inasmuch as the amount collected must be placed in said chest with three keys, as ordered, a balance shall be struck at the end of each year, in the presence of the three keyholders, and a copy of it shall be sent by the subdelegates to the general superintendency, with expression of the assets which are pendent. The governors, corregidores, and alcaldes-mayor of the other provinces, shall send the amount of their collections

at the order of their respective prelates, so that in the presence of the other keyholders, the same deposit may be made. Since it was determined by the above-mentioned royal decree, the persons who are to have charge of the three keys, so far as this archbishopric is concerned, are this vice-patron [*i.e.*, the governor], his Excellency the archbishop, and the member of the cabildo who shall be elected; it is only to be noted, in order to avoid any reason from which any doubt can result prejudicial to this important object, that the peculiar provision for the collection of the three per cent corresponding to the curacies of the district, is comprehended in the preceding article; and by this methodical order, all the governors, corregidores, and alcaldes-mayor, except those of Cebú, Camarines, and Ilocos, must be guided. For the foundation of the seminary of Nueva Segovia, the alcalde-mayor shall confer with his Excellency, the bishop of that diocese, in order that they may select a site fitting for the extension which should be given to it, with respect to the number of persons whom it can maintain, and who are necessary for the discharge of the duties of the bishopric. For that purpose a plan of the work must be made by experts, and at the same time its cost must be estimated, so that after it has been sent to the superior government, with expression of the funds existing in the three per cent, and of what it is calculated that those funds will yield annually, the government may take the fitting measures, in order that the construction may not be undertaken if it must be suspended later through lack of funds. May God preserve you many years. Manila, March 26, 1803.

II

MODERN CONDITIONS

[The following is taken from *Archipiélago Filipino* (Washington, 1900), i, pp. 343, 344.]

There are five seminaries in Filipinas, corresponding to the archdiocese of Manila, and to the four suffragan dioceses of Cebú, Jaro, Nueva Cáceres, and Nueva Segovia, in which the bishops, in accordance with the terms of the Council of Trent, have established the training of the secular clergy. They cannot properly be said to have begun to perform their functions until 1862, when the fathers of the congregation of St. Vincent of Paul came to these islands. Those fathers took said seminaries in charge and direct them at present, with the exception of that of Nueva Segovia, which was in charge of the calced Augustinian fathers. Before the year 1862, the majority of the secular clergy was educated in the colleges of Manila, especially in that of San Juan de Letran, and in that of San José. . . .

In all these seminaries, except in that in Manila, which, because of its proximity to the centers of learning, is limited to the ecclesiastical studies, are taught Castilian and Latin grammar, arithmetic and algebra, geometry and trigonometry, physics, logic, psychology, ethics, metaphysics, and dogmatic and moral theology. They possess a moderate library, some physical and chemical apparatus, and a collection of solids for the explanation of mathematics. By means of matriculation and the official examination, the studies of the secondary education of the seminaries qualify the students to obtain the degree

of bachelor of arts, and admission to the studies of the university.¹¹²

The expenses of the staff and those for material were paid from the proceeds of the three per cent collected by the diocesans from the allowances which a certain part of their clergy received from the government. In the seminary of Nueva Cáceres alone, were the expenses of the staff met by the royal treasury. According to the statistics of the university, the students of secondary studies in the seminary of Cebú, for the term of 1896-1897, numbered 504; those in that of Jaro, 211; those in that of Nueva Cáceres, 268; and those in that of Vigan (Nueva Segovia), 201.

[We add the following from *Census of Philippines*, iii, pp. 611, 612.]

In order that the branches taught herein, as well as those taught in private schools, should be considered valid and be recognized by the university of Santo Tomás, it was necessary that the pupils pay the enrolment and examination fees prescribed by said university.

The report submitted at the exposition of Amsterdam in 1883, says of these conciliar seminaries:

¹¹² This seminary was founded in 1870 by the very reverend Fray Mariano Cuartero, the first bishop of the diocese. The building is of stone with a galvanized iron roof supported by 160 beams. There are six Paulist priests, and two lay-brothers in charge of the institution, who are aided by three native clerics—pupils in the same seminary, who teach the Latin classes under the direction of the rector. The following fees are charged: matriculation, four pesos; boarding pupils, nine pesos per month, payable quarterly; and the three per cent of the stipend of the priests of the diocese. Instruction is divided into four years of Latin, and three of philosophy. The total number of pupils enrolled without distinction of courses or studies, from 1870 to 1885 inclusive, was 5,344; the total number of graduates, 4,397.

“ . . . The administration of the property is under the charge of the vicar-general of the archbishopric of Manila, and of the district vicars of the respective rectories, under the supervision of the bishops. The seminary of [Nueva] Segovia has been in charge of the Recoletos since the middle of 1876, when the Augustinian friars left it, and who also had charge since 1882, the Paulist fathers having the honor of having inaugurated the studies now given. These zealous priests are those at present in charge of the other seminaries.”

From statistical tables on file at present in the archives of Manila, the following facts concerning two of these conciliar seminaries may be gathered. The enrolment for the seminary of San Carlos, of Manila, from 1863 to 1886 was 971. The enrolments for the seminary of Nueva Segovia from 1882 to 1886 were: dogmatic and moral theology, 171; philosophy, first year, 181, second year, 99, and third year, 93; Latin grammar, first year, 317, second year, 301, and third year, 256; Spanish grammar, 275.

Prior to the supervision by the Paulist fathers, the studies of secondary instruction, which were given in the conciliar seminaries, were identical with those given by the friars in their other educational institutions, in substance as well as in form, as the purposes were the same — that is, to give education to Filipino clerics,¹¹⁸ whom they always con-

Of those enrolled under secondary instruction, 86.1 per cent graduated; under philosophy, 85.9 per cent; under dogmatic theology, 85 per cent; and under moral theology and liturgy, 82.5 per cent. See *Census of Philippines*, iii, pp. 598, 599.

¹¹⁸ Blumentritt says of the relations between the religious orders and the Philippine clergy: “They [*i.e.*, the orders] won for them-

sidered their rivals and political enemies. . . . For this reason the instruction given to the Filipinos, who aspired to a sacerdotal career, was incomplete, being reduced exclusively to rudiments, if they can be so called, of logic, psychology, ethics, metaphysics, and dogmatic and moral theology. In so far as political and social studies were concerned, absolutely nothing was given, and clerics were even forbidden to acquire knowledge of this character. Social education was unknown in these seminaries; selves in early times, great gratitude from the natives by protecting them from the government officials, which was increased by admitting them to religious orders. But this happy condition was changed in the present century, for when the orders were abolished in Spain, the Philippines offered an asylum to the crowd of European novices, whose numbers soon barred further admission to the natives. Since that time the Philippine friars have been European Spaniards, who are often the only white men in the country districts, and who, being the only representatives of the ruling race, have made use of that position, in fact, if not with right, and constituted themselves the rulers of the land. In the fear that a liberal government might deprive them of their last refuge—the Philippines—by handing the parishes over to the (native) secular clergy, the Spanish friars began to pose as the only reliable support of Spanish rule in the archipelago, and to throw the suspicion of independence upon the secular clergy. So great is the ignorance of the Spaniards of the affairs of the archipelago, that this suggestion was easily entertained, although all insurrections have been suppressed, not by the friars, but by the government. Their power was further increased by the money they circulated in Spain, and the fear of the Spanish government that they might place their wealth at the disposal of the Carlists.

"These friars have been the enemies of every administrative reform which the colonial ministers have promised or effected from 1868 until the present time, and they have consequently and naturally appeared as the enemies of all progress and improvement in their country, not only to the secular clergy, but also to all the other inhabitants of the islands. . . . What kind of a spirit actuated them is best shown by the fact that they accused the Jesuits, who are highly esteemed, of liberalism, and so brought suspicion and distrust upon the teachers who were educated in the Jesuit teachers' seminary." See *Census of Philippines*, iii, pp. 612, 613.

no consideration was given to the fact that clerics, on account of their obligations and the constant intercourse they are obliged to have with their parishioners, should be the best educated men, with great knowledge of the ways of the world and of the human heart. The moral education of the Filipino people, especially that of the women, often retrogressed, and made absolutely no progress on account of the influence caused by the status of the Filipino clerics in the popular mind.

After the conciliar seminaries passed to the charge of the Paulist fathers, affairs continued in the same manner, because these priests were subject and subordinate to the rigid tutorship of the monastic orders and the universitarian feudalism which the Dominican friars exercised in the Philippine Islands, and it was not possible for them to develop their own initiative, or to explain their own opinions. . . .

[*Doctrina y reglas constitucionales de la iglesia Filipina independiente* [i.e., "Doctrine and constitutional rules of the independent Filipino church"]¹¹⁴ (Manila, 1904), pp. 14, 15, contains the

¹¹⁴ Gregorio Aglipay, the founder of the new Filipino Church, is an Ilokano by birth and is about forty years old. He was educated for the priesthood in a Catholic seminary, and ordained about 1890. His rise was rapid, for he was well looked upon by Spanish ecclesiastics. In the early part of American occupation, however, he was excommunicated for some Church irregularity, "an action . . . glaringly unjust and entirely irregular," says Stuntz. Thereupon he joined the insurgents and was made vicar-general by Aguinaldo. Shortly after the proclamation of April 4, 1899, by the Schurman commission, he took the oath of allegiance to the United States. In August, 1901, he had private conferences with several Protestant ministers regarding the religious condition of the Philippines, and declared his intention to head a movement for an independent church, asking the

following in regard to seminaries, which are analogous to conciliar seminaries.]

The first duties of our bishops consist in establish-

coöperation of the Protestants. The constitution was adopted in October, 1902, at a convention of the priests and laymen who had joined the movement, and Aglipay was elected archbishop. The movement spread rapidly. In north Ilokos but three priests with their churches remained loyal to Rome. Various estimates place the number of adherents to the new faith at 1,500,000, or 2,000,000, although they themselves claim 3,000,000. The question of their right to hold church property came up early, and Governor Taft ruled that the party which is in peaceful possession of any house of worship shall be deemed to be the rightful occupant, and the contrary must be proved in the courts before ejection can take place. More than 200 priests have joined the movement, and young native priests are being ordained with somewhat startling ease and carelessness, in the seminaries which the new Church has opened. The foremost priests and laymen have been open enemies of the United States, and some of them still advocate independence. Isabelo de los Reyes, a politician of the demagogue type, is one of the active leaders of the movement. A weekly paper is published in the interests of the new Church. Patriotism rather than religion is the reason for its rapid growth, so that its basis with many is political. The fear of the return of the friars was seized upon by the schismatics to gain new adherents. Homer C. Stuntz says: "Its easy program of religious reforms attracts thousands. It promises a better order of things, but makes no spiritual or moral demands. Priests may come into the movement, and keep their mistresses and continue their gambling. Aglipay himself has never been accused of immorality or gaming, but he sets up no standard of purity in his priesthood or among his people. The cockpit, games of cards and dice, the *bino* habit, and all other national vices come into the new Church without direct rebuke. This, its real weakness, gives it apparent strength. Because of this it is enabled to count its members by the million within less than two years from its birth." Protestant influence is seen on every hand. Protestant missionaries congratulate themselves that the Catholic front of the islands is broken by this movement. The office of bishop is elective, Aglipay himself being included by this rule. Stuntz's conclusions are as follows: "The Independent Filipino Catholic Church has come to stay. Just how strong a hold it will be able to keep over the multitudes which have flocked to its standard of revolt against the pope cannot be foretold. But it may be reckoned with as a permanent factor in the religious future of the Philippines." See

ing a good seminary in their respective dioceses, which may serve as a training-school for new priests, educated according to the new doctrines of the independent Filipino church.

They shall exercise their whole care in seeking a suitable although modest locality, and in catechising as many young men as possible, who are fit for the lofty ministry of God. We desire that not only our church, but more than anyone else the most reverend bishops themselves recognize the great necessity for these seminaries. Consequently, their negligence in this particular will be very fatal, and merit censure.

The effort shall be made to give the young men a complete instruction, one concise and more nutritive than that of the interminable years of unnecessary dissertations and fruitless "therefores," with which the Roman priests feed the best years of our youth.

The plan of studies shall be based on the principle that we must begin to learn the most necessary, secondly, the most useful, and thirdly, the sciences that ought to always adorn the worthy priests of God. The plan recommended in the fourth epistle of our church shall be followed.

But knowledge will be vain and useless in a priest, if he is not adorned with the Christian virtues of holiness, altruism, obedience, and zeal for the greater glory of God. Consequently, the young men shall be instructed in the practice of an ascetic and disciplined life, and they shall become accustomed to prayer, the sacraments, and the exercises of evangelization.

Adjoined to the seminaries, the effort shall be LeRoy's *Philippine Life*, pp. 163-171; Homer C. Stuntz's *The Philippines and the Far East* (Cincinnati and New York, 1905), pp. 488-496; and *Report of Philippine Commission*, 1904, i, pp. 19, 20.

made to create Catholic schools and colleges for both sexes. Thus the selection of priests will become more easy; and furthermore, [this shall be done] inasmuch as it is of great importance for us to teach the divine teachings of Jesus Christ and the redeeming doctrines of our church to the children.

[Pp. 42, 43, of the same rules, contain the following:]

The chief bishop shall contrive ways and means, now by imposing a tax among the parish priests, now by begging alms for the support and creation of Catholic seminaries and colleges, which are very necessary for the propagation and defense of our church; as well as to comply with our most sacred obligation of evangelizing the heathen tribes, and satisfy other considerations of the subsecretaryship of the propaganda of the faith.

In all other things not covered by these rules, the chief bishop shall have power to decree, provided that he do not violate the spirit of the same, after obtaining the opinion of the superior economical Council.

[The plan of studies above-mentioned is found on pp. 67, 68, of the same book, and is as follows:]

5. The diocesan committees shall exert their efforts very earnestly in creating with all haste, seminaries, in order to be able to provide all the parishes with young and learned priests, since the scarcity of priests is the principal pretext of the Roman priests, in order that they may introduce foreign priests here. They shall endeavor to attract as great a number of students as possible, with the assurance that in two years' time only they will be given a complete, concise, and more nutritive instruction than the interminable years of unnecessary

dissertations and fruitless "therefores" with which the friars feed the best years of our young men, in order by that method to hinder the multiplication and true education of our priests.

The plan of studies which shall be followed for the present shall be as follows:

Baccalaureate

If the students are very young, they shall have to pass in all the courses of secondary instruction. But if they are twenty years old, only the following courses shall be demanded of them:

English or Spanish, geography, history, arithmetic, natural sciences (natural history, physics, and chemistry), and rhetoric.

Priesthood

1st year: Bible and theology simplified.

2d year: Amplification of the preceding course, and application of the Bible to all the problems of life, social and private, to the ceremonies and to the priestly life, and to ecclesiastical discipline.

By simply passing these courses, and if the good deportment of the students be proved, they shall be ordained as presbyters and placed in the parish churches.

But not on that account shall they cease to continue their studies, and as is now the custom among the Roman priests, they shall be examined annually, to determine whether they are fit to continue the duties of priest, in the following manner.

1st year: History of religions.

2d year: Study of the distinct philosophical and theological systems.

3d year: Canons.

4th year: The studies of the baccalaureate which they have not passed.

Those who shall have studied theology already in the Roman seminaries, shall be ordained as soon as possible as sub-deacons, deacons, and presbyters, successively.

NAUTICAL SCHOOL

I

*Royal order approving the new regulations for
pilots in Manila*

Ministry of the navy, commerce, and government
of the colonies:

Your Excellency:

Her Majesty, the queen governess, in accordance with the opinion of the admiralty board, and with that of the General Division of Studies of the kingdom, has considered it fitting to approve, in all its parts, the new regulations for the academy for pilots in Manila, which your Excellency's predecessor sent to this ministry for the fitting resolution in his letter of July 20, 1837, number 157. By royal order, I communicate this to your Excellency for your knowledge and for the corresponding results. May God preserve your Excellency many years. Madrid, May nine, one thousand eight hundred and thirty-nine.

CHACON

II

[Concerning the professional nautical school,
Archipiélago Filipino says:]

This school, which was created at the instance of

the consulate of commerce, by command of his Majesty, dated January 1, 1820, was ruled by the regulations of 1837, which were modified by the royal order of October 19, 1860. In this school was studied the profession of pilot of merchant marine. The theoretical teaching was given in it in four years' time;¹¹⁵ while the practical teaching was given in vessels on the high sea, after the pupils had received, by virtue of examinations, certificates as deserving persons.

The total number of pupils was usually fifty or sixty. They were mostly Indians, who, as they did not master the Spanish language, did not derive all the profit which would have been reported under other circumstances, and many of them after the knowledge acquired in the first two courses, chose a more lucrative profession.

At first it was supported with its own funds and under the direction of the Board and Tribunal of Commerce, but later, upon the suppression of the Board and Tribunal, the school and its funds passed under the control of the state, which furnished its expenses, and gave the administrative direction to the commandant-general of the naval station and its immediate director.¹¹⁶

¹¹⁵ See the program of these theoretical studies, in *Census of Philippines*, iii, p. 613.

¹¹⁶ There was also at Manila, for many years, a military academy for the education of the sons of military men residing in the colony, as well as for soldiers and non-commissioned officers who desired to fit themselves for promotion. The son of a native needed great influence to enable him to enter, and such had generally to enlist as a soldier, more especially since the age-limit was lowered. Formerly, when the scale of ages was different in the colonies from the scale in Spain, officers graduated from this academy, but later when the scales were made uniform, this acad-

[Regarding the same school, *Census of Philippines*, iii, p. 613 says:]

As a consequence of the abolition of the tribunal of commerce existing in the city of Manila, which had charge of the school, the government undertook the supervision of it, by superior order, which provided that the personnel thereof should be considered as public officials, and that the funds on which it depended for its support should be turned into the treasury. . . .

The nautical school¹¹⁷ was not very well attended

and was closed, and opened again afterward under different conditions. Its candidates were eligible candidates for admission to the general military academy of Spain at Toledo, which annually gave notice to the academy of the number of scholars which it could accommodate. Many Filipinos took advantage of this and became efficient military men. The instruction given in the academy seems to have been superior to that afforded in many of the other institutions, and examinations were comparatively strict. Annual attendance was generally about 100. Since American occupation a military academy has been suggested for the Filipinos. See *Report of Philippine Commission*, 1900, i, p. 40, 1900-1903, p. 128; and *Report of Commissioner of Education*, 1899-1900, ii, pp. 1627, 1628.

¹¹⁷ This is the oldest educational institution of the Philippines under the supervision of the Bureau of Education. The building of the school was destroyed by the earthquake of 1863. A nautical school was opened by the American government in Manila, December 15, 1899, with an enrolment of 22 pupils, and under the superintendency of Lieut. Commander V. S. Cottman, U.S.N., who was assisted by three instructors. He was relieved by Lieut. George F. Cooper, December 25, 1899. The course of instruction was at first for three years. At the beginning of the new term in June, 1900, four more instructors were appointed. There were five instructors at the opening of the first term in 1901. The instruction was first in Spanish, but for the sake of greater efficiency English was substituted. In July, 1901, the school opened with 83 pupils. In October, 1901, the course was extended to four years. The studies include English, mathematics, history, drawing, mechanics, and practical seamanship. The method of instruction and discipline are based upon those of the United States

by the young Filipinos, the cause for which is not understood in view of the fact that this is a country in which navigation is one of the most powerful mercantile resources, and whose inhabitants have special and exceptional qualifications therefor. The lack of interest shown in studies of this character can be attributed only to the little protection, lack of means and of opportunities, afforded upon the conclusion of the course.

Naval Academy. The building, although well equipped in many ways, is not itself adequate for the purpose for which it is used. The school has not attained the excellence desired, due in part to the irregular attendance and lack of discipline, although attendance continues to increase. See *Report of the Commissioner of Education* (Department of the Interior), 1901, ii, pp. 1421-1423, and 1902, ii, pp. 2244-2246; *Report of the Philippine Commission*, 1900, i, p. 39, ii, p. 473, 1900-1903, p. 271, 1904, iii, pp. 826, 827, and 888, 889; and *Census of Philippines*, iii, pp. 663, 664.

The Philippine budget for 1880-81 included 4,397.33 pesos for the staff of the nautical academy, and those of painting and designing, history and bookkeeping, and the botanical garden; and 7,786.32 pesos for equipment. See Sanciano y Goson's *Progreso de Filipinas* (Madrid, 1881), pp. 23, 24.

BOYS' SINGING SCHOOL

This school, whose chief end was to furnish good soprano voices for the singing in the holy cathedral church of Manila, was founded in 1742 by the right reverend Señor Rodríguez, archbishop of these islands, and it has subsisted and still subsists with the same property from the pious bequest of its foundation.

It consists of a director and a teacher of primary instruction, both priests; one teacher of singing, chanting, and vocalization; another of the piano, organ, and composition; and another of stringed instruments. The children sopranos number eighteen, though at times there have been more, and all have been supported, clothed, and, as well, frequently assisted in the career which they have desired to adopt.

The musical instruction given to those boys is according to the methods pursued in the conservatory of Madrid; for singing and harmony, Eslava; for the piano, Aranguren; for the organ, Gimeno; for the violin, its method and studies, Alard; and for vocalization, Romero.

Because of the tender age of these boys, since they enter at the age of six or eight years, and remain until that of fourteen, they are not permitted, except

in rare exceptions, to play wind instruments. The gain due to this institution is public and well known to all who have heard the harmony produced by those sopranos in the churches of Manila, and the skill demonstrated by the same in instrumental music for almost three centuries past. Not few of them have been justly praised and rewarded in musical contests where they were presented, for example, in the *Liceo Artístico* [i.e., Artistic Lyceum] later the *Sociedad Musical Filipina de Santa Cecilia* [i.e., Filipino musical society of St. Cecilia].¹¹⁸ This institution has contributed not a little to the propagation of musical art and good taste.

¹¹⁸This society was founded in Manila in 1876 under the name of Liceo Artístico, which it changed in 1889 as above. Its purpose was to protect the moral and material interests of the Filipino musicians resident in the Philippines, and advance the musical progress and education of the natives. It gave with some irregularity a private monthly concert and three public concerts per year. It began to decline in 1891 and perished amid the political upheaval. See *Archipiélago Filipino*, i, p. 354.

PUBLIC INSTRUCTION

Primary instruction cannot be considered in a backward state, and, indeed, I believe that, in proportion, there are more persons who can read and write in these islands than in España, and in some [other] civilized countries.¹¹⁹ In each village there

¹¹⁹Semper, writing in 1869, says of education among the natives: "The Christian Spaniard has not been able to exert much more influence of a spiritual than of a political nature upon the character of the natives. Popular education was formerly, and is now, entirely in the hands of the priests. Excepting the professors of common and Roman law all the chairs of the University of Santo Tomás of Manila are in the hands of the priests, who naturally arrange not only the theological lectures, but those upon metaphysics, physics, and logic, as well, according to the principles of the Catholic Church. In the provinces every village has its public schools in which instruction is obligatory; but, besides reading and writing, only Christian doctrine and church music are taught. This instruction, moreover, is by no means generally given in Spanish; at least, the general introduction of Spanish is still so recent that it will be long before the Spanish officials will be able to converse, even with their subordinates, in Spanish. On the east coast of Mindanao, one of the oldest and most settled provinces, the native dialect was exclusively used until forty or fifty years ago, and the priests used the old Malay alphabet until the beginning of the century, even in their official business. The number of natives—the Spaniards call them 'Indians'—who can read and write is tolerably large, but owing to the total unreliability of all statistics on the subject, nothing accurate can be stated. In 1863 the Government attempted to make an enumeration of the population, and, incidentally, to note the number of those who could read and write. The fact that the result was never published seems to confirm the opinion that an unsatisfactory condition of things was found." See *Census of Philippines*, iii, p. 577.

is a suitable building for the use of a school, to which all the children must go except during the months of sowing and of harvest. The master, and other expenses, are paid from the communal fund. In view of this I have wondered at seeing in many foreigners the strange belief that the government does not permit the learning of reading and writing; for I can assert that, in the archives of Manila I have found many old and recently-dictated decrees, with a spirit diametrically the contrary, which repeatedly enjoin the teaching of the Castilian language. Women also share in this benefit, and I have found girls who lived not only far from the capital, but in an isolated house distant from the village, and, notwithstanding, they had learned to read and write. One must confess, however, that they scarcely know other books than those of devotion, especially a poem entitled the *Pasion de Cristo* [*i.e.*, Passion of Christ]. Besides the said schools, which are equal in number to the villages and the schools of some private masters,¹²⁰ both in the chief cities of the

¹²⁰ Under late Spanish domination, there were 67 private Latin schools in the archipelago, of which 23 were in the province of Manila, and nearly all the others in Luzón. In the term of 1886-87, there were 41 private schools, of secondary instruction, twelve of which were in the suburbs of Manila, two in the walled city, and the rest in the provinces of Luzón and the Visayas. Of the 41 professors in charge thereof, only one had the degree of doctor, eight were licentiates, and the rest held the degree of bachelor of arts. The course of study in these schools included Latin and Spanish grammar, Christian doctrine and sacred history, general geography and geography of Spain and the Philippines, Latin translation and analysis, elementary Greek, general history and history of Spain and the Philippines, arithmetic and algebra, rhetoric and poetry, geometry and plane trigonometry, and French. The attendance in 1895-96 was 1,915. They were under the charge of licentiates, in philosophy or science, or bachelors of arts who must have passed a teacher's examination, and were under



provinces and in the capital where their number is very considerable (there being among them not a few of music and drawing), there are found in Manila various public institutions of education for men and women. In regard to them one can form a correct judgment by the following explanation.

inspectors, one of whom was appointed by the rector of the university, who was ex-officio head of all the schools of the islands. Some of the schools had a one-year course, others two, and others three. The teachers were Filipinos. The supervisors of public instruction had the power to visit the schools, and recommend their establishment or removal. The pupils were required to enrol and be examined in the university, except those in distant provinces, who could be examined by a board composed of the alcalde-mayor, the parish priest, and the respective professor. The result of the examination was sent to the secretary of the university. The Dominicans had one private school at Dagupan (Pangasinán), founded 1890-91; the Franciscans, that of Guinobatan (Albay), founded 1894-95; and the Recollects that of Bacólod (Negros Occidental), founded 1895. There are still a number of private schools in the archipelago. During recent years many have sprung up in Manila and the provinces which give primary and secondary education, although the instruction is generally poor. Some of them have been started in answer to the complaint of some Filipino parents that the American schools are godless; some have been started by Roman Catholic priests for the purpose of combating purely secular instruction; and some are the expression of Filipino nationality and independence. Within ten months, since June, 1901, 29 new private schools were opened in Manila alone. They are generally patterned after the old method, and are either teaching in Spanish or the vernacular. The popular demand for English has compelled many of them to make a show of teaching it, but it is generally being attempted without adequate teachers. It was suggested that the curriculum in such schools, except in matters of religious instruction, conform to the course of the public schools, and that they be under the official inspection, such a course making it possible to have a real compulsory school law. The Liceo de Manila is a school organized and run by Filipinos. The late C. J. Zulueta was professor of history in this school and read an address at its opening, June 19, 1902. See LeRoy's *Philippine Life*, pp. 223, 224; *Census of Philippines*, iii, pp. 599, 600; *Report of Commissioner of Education, 1899-1900*, ii, p. 1622, 1901, ii, pp. 1437, 1438; and *Archipiélago Filipino*, i, pp. 344, 345.

UNIVERSITY OF SANTO TOMAS

This college was founded at the beginning of the seventeenth century; their Excellencies, Benavides and Soria, the one archbishop of Manila, and the other bishop of Nueva Segovia, giving their libraries for that purpose, and, in addition, the former giving 1,000 pesos and the latter 1,800. Already finished in 1619, it was admitted as a house of the province of Preachers in the islands, as appears from the records of the intermediary chapter celebrated in Santo Domingo, April 20, with the suitable license of the superior government and of the ordinary. In 1620 it already had lecturers and masters for public teaching, and November 27, 1623, his Majesty admitted it under his royal protection. It was erected into a university at the instance of the said monarch Felipe IV, by a bull of Innocent X, November 20, 1645, which was passed by the supreme Council of Indias July 28, 1646. By a decree of May 17, 1680, the university was received under the royal protection, his Majesty declaring himself its patron. In consequence of another decree of December 7, 1781, the rules were made, which, approved by the superior government October 20, 1786 as they were prepared are those which are in force at present. Their cloister is composed of various doctors, licentiates, and masters, although in reality only twenty-one of the first and second kinds form it. The number of collegiates is ruled by circumstances, and the college supports them, for they have to dress and provide shoes for many. Their funds are ministered by lay-brother religious. This college and royal university is in

charge of the Dominican religious, who teach Latin, logic, physics, metaphysics, moral and canon law, and theology. In addition there is a chair of institute, and another of native law. In this university 581 students are studying, who are classified thus:

Collegiates	61
Capistas ¹²¹	15
Day Pupils	505
<hr/>	
Total	581

COLLEGE OF SAN JOSE

By a decree of June 8, 1585, his Majesty ordered the establishment of a college to be attempted in Manila, in which the sons of the Spanish inhabitants might be instructed in virtue and letters under the direction of the Jesuit fathers. But, although the governor Dasmariñas enacted an edict for that purpose, it was not fulfilled until the year 1601 when the college of San José was instituted in some houses next to the house of the Jesuits. There were thirteen collegiates when it was first opened, but in a short time their number reached twenty. Among the first was a nephew of Governor Tello, a son of Dr. Morga, senior auditor, and other sons of influential citizens. At the beginning the collegiates contributed a certain sum for their own support, but soon there were greater means. One of the most considerable was the endowment left in his will by the illustrious gentleman, Don Esteban Rodriguez de Figueroa, governor of Mindanao, who was recognized as patron of the college. In 1605, Father Pedro Montes became rector. He founded the chair

¹²¹ i.e., Those wearing the cape or cloak.

of scholastic theology, and promoted those of philosophy and Latin, selecting to take charge of them the most pronounced men of talent of his Society. During the reign of Felipe IV, the latter obtained from his Holiness, Gregory XV, authority to concede solemn degrees in philosophy and theology. The latter's bull and the royal decree of concession were celebrated in Manila by a public procession, and when they were presented to the most illustrious Serrano, then archbishop, he offered obedience and observance on his part. February 18, 1707, his Majesty continued for six years the assignment that had been made to the college of 400 pesos, and 400 fanegas of rice. May 3, 1722, the title of "Royal" was conceded to the college. November 15, 1747, the enjoyment of an encomienda in the villages of Sulát and Tavig, in the province of Samar, was also continued for ten years. February 3, 1748, his Majesty confirmed in favor of this college the lands of the estates of Mariquina and San Pedro Yunasán. At present it possesses that estate and the estate of San Juan de Lian, which are administered by the rector. With their products the college takes care of the support of twenty-two collegiates, the house and food of the vice-rector and masters, and the annual pay given to them and to the rector. They also admit capistas who pay fifty pesos per year, and receive public teaching therein in philosophy, rhetoric, and Latin. From the expulsion of the Jesuits until the year 1777 this institution was closed.

COLLEGE OF SAN JUAN DE LETRAN

It owed its foundation to the charitable zeal of Juan Gerónimo Guerrero, who in the year 1630 dedicated himself to gathering orphan boys, to

whom he taught reading and writing and the Christian doctrine, paying for their support and clothing from the abundant alms with which the citizens of Manila aided him. This institution was recommended to the supreme Council of the Indias by the government of these islands, and later his Majesty recommended it to Governors Fajardo and Corcuera. Before dying, the aged Guerrero took the habit as lay-brother in [the convent of] Santo Domingo, and made that order a formal bequest of his advanced charitable work. Later it was erected into a college and received under the royal protection, his Majesty conceding it some encomiendas, or annuities for its support. At present it maintains at its own cost twenty-one Spanish orphan lads, with the 600 pesos to which amounts the product of the annuities which are collected from the alcalde-mayor of Pangasinan by a Dominican religious. It also receives Indian and mestizo collegiates who pay fifty pesos per year apiece for their support. Their number is not fixed. Under the title of sacristan, porters, librarians, and other mechanical trades, there are various people who pay nothing. Their studies are carried on in the university of Santo Tomás, except that of grammar. At the present time this college has 239 students, counting orphans, capistas and others.

CHARITY SCHOOL [ESCUELA PIA] OF MANILA¹²²

Don Pedro Vivanco having begun to promote its establishment in 1803, it was installed in 1817 under the direction of a special assembly composed of distinguished citizens, among whom was a member of the ecclesiastical cabildo, and another of the tribunal

¹²² Later transformed into the Ateneo Municipal, *q.v.*, *post.*

of the consulado. The citizens gave the funds which were to maintain so useful an institution, but being drawn upon, as was the general rule, those funds had the same fate as other large sums of the commerce and charitable funds of this capital, and were lost through the political happenings of the kingdom of Mexico. The assembly having been extinguished for lack of funds, the city took under its charge the charity school. Reading, writing, Christian doctrine, Spanish grammar, and slate-work arithmetic are taught there. The pupils must be Spanish; the children of rich people pay two pesos per month; those of the second class one; and the poor nothing. For admission, a ticket from the president of the dissolved assembly was sufficient. Now it is given by the regidor, who is serving his turn in governing the institution. In that school, there are at present 50 pupils, of whom 26 receive their teaching gratuitously.

NAVAL ACADEMY

Through the repeated instances of the consulado, this school was established in Manila by royal permission in the year 1820. Arithmetic, elementary geometry, plain and spherical trigonometry, cosmography, and piloting are taught by their respective professors; and in addition practical geometry applied to the construction of hydrographical maps and plans, with the method of drawing them. Everything is according to the course of study of the navy, written by royal order for the teaching of said schools by the chief of squadron of the royal fleet Don Gabriel Ciscar. It is directed by special rules. The expenses of that institution have been met

hitherto from the funds of avería. Its conservation was committed to the consulado, but since the extinction of that tribunal, it has been given *ad interim* to the present tribunal of commerce by the ruling of the management, inspection in the scientific or teaching portion being reserved for the chief of the military marine. At present it has 51 students in its halls.

COMMERCIAL SCHOOL

The establishment of this school was discussed by the assembly of its name October 1, 1839, approved by the superior government, January 15, 1840. Its inauguration took place, July 15 of the same year. Bookkeeping, and commercial correspondence, the French language, and also the English, when a suitable professor is to be had, are taught in that school.¹²³

SCHOOL OF SANTA POTENCIANA

It was erected by Governor Dasmariñas, by virtue of an express royal mandate contained in the instructions which were delivered to them August 9, 1589,¹²⁴ in which section 27 reads: "Upon your arrival at the Filipinas Islands, you shall ascertain how and where, and with what endowment, a convent for the shelter of girls may be founded, so that both those who should come from here and those born there, may

¹²³ This school was located in the same building as the nautical school, and was established July 15, 1839 at the request of the board of trade, which had presented its petition to this effect, October 1, 1838. The report of 1883 shows a total enrolment of 562 pupils in double entry bookkeeping for the years 1866-72, with a graduation of 91; and an enrolment of 228 for the study of English, with a graduation of 57. See *Census of Philippines*, iii, p. 614; and Montero y Vidal, *Historia*, iii, p. 30.

¹²⁴ See these instructions, in VOL. VII, pp. 141-172.

live in it, so that they may live modestly and after being well instructed may go out therefrom to be married and bear children." That zealous governor, with the efficacy and activity which distinguished his government, did what his Majesty ordered him; for, in a royal order of January 27, 1593, the measures which had been taken with the city are approved and ordered to be continued, namely, that the said convent should be founded in the church of San Andres. Shortly afterward that pious institution must have been completed, as is inferred from another royal order of June 11, 1594: "The rules and regulations," says his Majesty to the governor, "which you have made for the girls' school have been examined and are approved, and thus you shall have them observed." It was further provided how they were to act at the wheel, or in the parlor. The chaplain was also to be the manager and he was to be an approved person of forty years old or upward. The clothing of the collegiates, of the mother superior, and the teacher, was to be modest and cheap, and was sent by his Majesty. The governor was authorized to name the sum which was to be paid annually by any other woman who wished of her own accord to enter the institution, in order to take shelter therein, provided that such sum should be moderate.¹²⁸

There is no copy of the first rules of this school in existence, for they probably perished with its archives, and ten or twelve inmates in the awful earthquake of 1645, which overthrew the edifice and destroyed the greater part of the city. In fulfilment

¹²⁸ See VOL. XVIII, pp. 282-288 for documents of 1610-19 regarding the grant of an encomienda made to this school or seminary.

of a royal order of November 27, 1686, and superior rulings of March 15, 1691, Doctor Silva, then chaplain of said school, published, in the following April, the ordinances of Santa Potenciana, which merited royal approbation November 14, 1825, in which year the newly printed rules were ordered to be observed.

In 1736 the free inmates were the daughters of Spaniards who had served his Majesty in the islands. They were aided with what was necessary for their support and clothing, and the physician and the medicine for the sick were paid for them, besides a suitable funeral for the dead. The funds of the college did not permit, in case one married, to give her a suitable dowry, but such a one received two hundred pesos from the charitable fund which was established for that purpose in 1686 by Don Cristóbal Romero, castellan of the fort of Santiago, and in the time of Governor Tamon, fifty pesos more, which he gave from his own purse, to each one of the inmates when she was married. In 1729, Auditor Don José Antonio Pabon founded for the same purpose another charitable fund by giving 2,823 pesos, which the royal treasury owed him on account of pay, but that foundation had no effect until 1749. The funds were in charge of the managers, who very commonly were the royal officials, and were increased by investing them suitably, until the time when they entered the royal treasury with the other incomes of the school. At present that school occupies a house which was bought at the royal account, for its ancient site has been destined for the building of a fortification. From the same treasury, the expenses of a small chapel, a physician, apothecary shop, infirmary, clothing for the pupils, and six

servant girls are met, which are estimated at 700 pesos annually; and those of a sacristan, four *faginantés* [i.e., fagot-gatherers], and one purchaser. By a provision of the Superior Board of the royal treasury of September 22, 1808, money was subscribed for the maintenance of a rectress, a portress, and twenty-four inmates at the rate of one and one-half reals per day to each one, and monthly from the royal magazines, 46 baskets of *pinagua*¹²⁶ rice of 15 gantas, 25 quintals of wood, and 17 gantas of coconut oil for their light.

SCHOOL OF SANTA ISABEL

Since the foundation of the confraternity of the Santa Misericordia, their financial board maintained the management of many poor Spanish orphan girls who were reared in Santa Potenciana, and in private houses; but having bought an edifice in which to gather them, the foundation of this school was accomplished at the end of the year 1632. It is in the immediate charge and care of the purveyor. The first rules for its government were made in 1650, and they were retained with some slight alterations until 1813. In that year they were entirely revised, and these latter are the ones which are observed at present. It has a chapel which is kept very neat and clean, which is dedicated to the Lord of the treasury.

The girl pensioners contribute sixty pesos per year for their fees. In addition, there are some poor young women who are known under the name of supernumeraries [*agregadas*], who are maintained through charity.

The rectress is the superior of the school, and is

¹²⁶ Perhaps for *pinawa*, which signifies "half-pounded rice," or "rice without the husk, but not bleached."

subordinate to the purveyor. In grave cases which arise, she consults the financial board, and if that board is not created with power to take action, she convokes the brotherhood and in general council the advisable action is agreed upon with the assistance of theologues and jurists. This school contains:

Scholars with beca	51
Free orphan girls	18
<i>Idem</i> boarders	14
Abandoned	7
Supernumeraries	12
<hr/>	
Total	102

There are also at present for the interior service of the house one chaplain, one physician, twelve maid servants, and eight man servants; these last do not live in the school.

BEATERIO OF SANTA CATALINA DE SENA

It was founded in 1696 by Mother Francisca del Espíritu Santo, a Spanish woman born in Manila, and by the very reverend father, Fray Juan de Santo Domingo, provincial of the Dominicans. Its object is to teach Spanish girls how to read, write, reckon, the Christian doctrine, to sew, etc. In that duty the necessary beatas are occupied. They obey a superior whom they appoint from their own number, and such person takes the title of prioress. At present this school has 26 Spanish girls and 60 supernumeraries and servants.¹²⁷

¹²⁷ Its foundation was approved in 1816, and endowed with the fitting rules and vocations, it had for some time only the character of a beaterio. In 1865 it was elevated to the rank of a school of higher grade. See *Archipiélago Filipino*, i, pp. 352, 353.

BEATERIO OF SAN SEBASTIAN
DE CALUMPANG

It was begun in 1719 by four Filipino girls, who gave themselves exclusively to the service of God, and that of the Virgin of Carmel. In 1735 the beaterio was given form at the petition of the Recollect provincial, Fray Andres de San Fulgencio. The beatas were permitted to take the habit as manteletas of the discalced Augustinians. Their number was not to exceed twelve, and the institution was to remain subject to the vice-patron. In 1754, a measure was started as to whether the beatas ought to pay tribute or not, and the custom which favors the negative was ordered to be followed. They live in community without any vow. Each year they nominate one prioress. They are sustained by alms and by their own work. The priorate of San Sebastian contributes 100 cavans of palay, and 300 pesos annually, because the beatas sew the scapularies of Carmel, wash the clothes of the Church, and of the religious resident therein; and the convent of Manila 200 cavans and 300 pesos more for the washing of the clothes of the sacristy and of the religious. Orphan girls are received and are taught reading, writing, the Christian doctrine, sewing, etc. For the very little girls the beaterio receives what their relatives care to give. Those who can work pay nothing if they work; but if they do not work they pay three or four pesos per month according to their circumstances. Some Spanish women also enter for the [religious] exercises. At present this beaterio has 12 beatas, 24 larger girls who are being educated, 16 smaller ones, and one little girl boarder, with some

other widows and married women who also live in this retreat.

BEATERIO OF SAN IGNACIO

It was founded in 1699 under the direction of the Jesuit fathers. Its benefactress and first beata was Mother Ignacia del Espíritu Santo, a native of Binongo, who died in 1748, at the age of eighty. It has 25 beatas, 59 servants, and 55 wards, [some of] whom pay four pesos monthly for their support, and some two or three pesos, but these latter assist in the kitchen and washing once a week. This institution is supported by the alms and by the products of some sewing and by the washing of clothes. Every year there are exercises held there which begin in October; those who attend it are Filipino women. They are divided into three shifts, and about 300 of them assemble, each of whom pays two pesos. From that sum they meet the expenses of preachers, confessors, and their support. Since the expulsion of the Jesuits, this beaterio has been under the direction of the provisor of the archbishopric, and for lack of a shelter-house, it supplies its place. The object of the foundation was that Filipino girls might be reared in it and taught embroidery, sewing, reading, and writing.

BEATERIO OF SANTA ROSA

Mother Paula de la Santísima Trinidad, native of Cataluña, had scarcely arrived at Manila in 1750, when she dedicated herself to the education of girls and was the origin of this foundation. By a royal decree of September 22, 1774, his Majesty ordered that the house or beaterio founded by this good

woman should take care of the education of every class of girls. It is maintained by alms, by the work of their hands, and by the few small fees which some girls pay for their support therein, where they are taught reading, sewing, etc. Neither their number nor that of the servants is fixed. His Majesty has taken it under his protection, and entrusted it in his name to the regent of the Audiencia, with the fitting powers.

BEATERIO OF PASIG

In this village there is a house of teaching, or a beaterio entitled Santa Rita, which was founded in 1740 with the necessary licenses by the calced Augustinian, Fray Felix de Trillo, then parish priest of Pasig. Its primary object is to provide shelter for Filipino orphan girls, and to teach them reading, writing, Christian doctrine, sewing, embroidery, and other employments fitting for their sex. They dress when they go to the parish church in the habit of mantelates of St. Augustine, but they take no vow or obligation. Those educated and sheltered dress as in their own homes. This beaterio is sustained by the work of their hands and by alms, under the care and solicitous management of the parish priests. The latter are not those who give the least alms for its useful preservation, and that from the product of some estates which they have rented out, and which they acquired by their economy. Furthermore, the young women who enter as wards pay when their relatives are able, according to their wealth, up to the sum of two pesos per month. That is the greatest fee, but it is more usual for each one who is educated to contribute a few cavans of palay per year – gener-

ally about ten or twelve. But those who are quite poor and orphans pay nothing. This retreat has at the present time sixteen beatas.

EDUCATIONAL INSTITUTIONS AND CONDITIONS

Public instruction; condition of the sciences of letters and arts

At the head of the public instruction in the Philippines, one finds the university of Manila, called La Real y Pontificia Universidad de Santo Tomas [*i.e.*, the royal and pontifical university of Santo Tomás]. Its foundation as a college goes back to the first year of the seventeenth century. Its first benefactors were Archbishop Benavides of Manila, and Bishop Soria of Nueva Segovia. Both of them made it a gift of their library, and, in addition, the first one gave it 1,000 pesos and the second 1,800. In 1619, the house was entrusted to the religious of the Order of St. Dominic. The following year the courses of public instruction were opened there. Finally, on November 27, 1623, King Felipe IV took it under his special protection. In the year 1645, the same monarch obtained a bull from Pope Innocent X, which erected the college of Santo Tomás of Manila into a university. The statutes governing that institution today were not drawn up until a long time after, that is to say, in the year 1781. Instruction there is entrusted to the doctors, licentiates, and masters (*maestros*). At the present time there are 21, both

doctors and licentiates, and no masters. Latin, logic, physics, metaphysics, ethics, canon law, and theology are taught there. In addition to that, some time afterward there was founded a chair of Roman law and one of Spanish law. The number of students who attend that university is now 581, namely, sixty-one collegiates, fifteen capistas, who are maintained at the expense of the college, and 505 day students.¹²⁸ The costume of the collegiates is a long robe of green silk with black sleeves, a *beca*, a kind of red scarf folded in two parts and crossing over the breast and drawn up behind the shoulders, a black collar with a white border and a cap like that worn by the law advocates of Spain.

If the university of Manila is the chief institution of public instruction, it is not the most ancient. From June 8, 1585, the king had ordered the foundation of a college, in which the sons of the Spanish inhabitants of the archipelago might be reared in the love of virtue and letters under the direction of the fathers of the Society of Jesus. But it was only in 1601 that that order could be carried out by the institution of the college of San José. The first collegiates numbered 13, but that number was soon raised to 20, all of whom were the sons or the near relatives of the first authorities of the country. Pope Gregory XV granted that college the right of conferring degrees of philosophy and theology. The funds of that institution are drawn from several estates, which have been conceded to it at different times. They are sufficient to provide for the maintenance of the vicerector and of the masters, in the annual pay which is

¹²⁸ These statistics show that Mas has been the chief authority followed by Mallat.

granted to them, as well as to the rector, and for the maintenance of 22 free pupils. Some pay students are also admitted there at the rate of 50 piastres [*i.e.*, pesos] per year. Philosophy, rhetoric, and Latin are taught there. Upon the suppression of the Society of Jesus, that college was closed until 1777. The costume of the students is a red gown with black sleeves and a black cap.

The college of San Juan de Letran commenced by being a primary school, founded in 1630 at the expense of a charitable man, whose name, Juan Gerónimo Guerrero, deserves to pass to posterity. He consecrated himself to gathering together in that institution young orphan boys, and to teaching them reading, writing, and the Christian doctrine. He was also able, thanks to the abundant alms which the inhabitants of Manila put into his hands, to provide for the maintenance and clothing of all those children. Before dying that kind-hearted man took the habit of St. Dominic, and entrusted the pious foundation which he had undertaken into the hands of that order. The latter erected it into a college, for which it obtained the protection of the king and some funds for its support. By means of a sum of 600 piastres which the alcalde of Pangasinan is charged to give annually to a Dominican who collects it, that college supports gratuitously 25 orphan boys. It also admits an unlimited number of boarders, both Indians and mestizos, who pay 50 piastres per year. It finally receives under the name of sacristans, porters, librarians, etc., several young students who do not pay anything. The total number of those who receive education in that college under different titles is to-day 239 persons. Their costume is blue with black

sleeves. A maltese cross is placed at the right on their beca.

The charity school (*escuela pia*) of Manila was established in 1817 under the direction of a special assembly composed of distinguished inhabitants, in the number of which there was a member of the chapter of the cathedral, and one of the tribunal of commerce. The inhabitants who had assembled supplied the funds which were to serve for the maintenance of that useful establishment. But those funds having been used in trade according to custom they had the same fortune that so many other considerable sums and charitable foundations of that capital have had, namely, they were lost because of the revolution of Mexico. The assembly, being dissolved on account of lack of funds, the city took the charity school under its charge. Reading, writing, Christian doctrine, Spanish grammar, and slate arithmetic, are taught there. The pupils must be Spaniards; the sons of well-to-do parents pay 2 piastres per month; those who are less well-to-do, 1 piastre; and the poor pay nothing. In order to be admitted there a ticket from the president of the dissolved assembly was sufficient. At present the regidor is charged in his turn with the management of the establishment which delivers the ticket. The number of pupils at the present time is 50, of whom 26 receive instruction free.

In pursuance of reiterated instances from the tribunal of commerce a marine school was opened in Manila in 1820, by royal authorization. Arithmetic, the elements of geometry, rectilinear, and spherical trigonometry, cosmography, and piloting, besides practical geometry applied to the making

of hydrographical maps and plans, with the manner of designing them, were taught there. The whole, conformed to the course of study for the navy, was composed, according to the order of the king, by the chief of the royal fleet, Don Gabriel Ciscar. The expenses of the institution are supplied by the funds called *avería*. The tribunal of commerce decides as to the admission of pupils and those who distinguish themselves on graduating to become captains of trading ships, making the voyage to China and India, and even going as far as America and to Europa. This proves that, whatever the Spaniards say of it, the young men of Manila are as susceptible to instruction as those of the mother country. In fact, there is no doubt that if the studies of this school were more solid and less theoretical, most remarkable persons would be seen to graduate from it.

Finally, in 1840, a commercial school has been established, which is held in the rooms of the tribunal [of commerce]. Bookkeeping, commercial correspondence, and the living languages are taught there free of charge. By a choice quite extraordinary, a marked preference is given to the French language, although that language is one that is spoken the least in that part of the world; since unfortunately our relations there are very few, as we have no longer any need to go there after sugar.

Very well equipped libraries exist in all the convents, and those of the university and of the colleges offer resources to the students who receive their education in those establishments.

This is all we have to say in regard to the institutions consecrated to the education of the young men. That of the young women has not been forgotten.

The seminary of Santa Potenciana was founded in the year 1589 by Governor Dasmariñas, by virtue of a royal order. Article 27 of that ordinance contains the following: "Upon arriving at the Filipinas Islands you shall ascertain how and where, and with what endowment, a convent for the shelter of girls may be founded, so that both those who should come from here and those born there may live in it and so that they may live modestly, and after being well instructed, may go out therefrom to be married and bear children."¹²⁹ The worthy governor was so zealous in carrying out the wishes of the king that, in the year 1593, the convent was established in the church of San Andres. A new royal ordinance of June 11, 1594 approved the regulations of it, which bore on the conduct to be observed in the parlor, on the duties of the chaplain, who was to be more than forty years old, and who was to be, at the same time, the manager of the house, on the customs of both pupils and the superior and mistress. It was to be suitable, but modest. The king took charge of the furnishing thereof. The governor was authorized to fix the sum which was to be paid by the women who desired to enter the convent in order to be cloistered there. That sum was to be very moderate.

There exists no longer any copy of the first rule of that house, whose archives perished in the terrible earthquake of 1645, when ten or twelve pupils lost their lives. New rules were drawn up and approved in 1696, and remained in force until 1823, at which time they were revised.

The school is established at present in a house which was bought for its use by the public treasury,

¹²⁹ Inasmuch as this citation was translated from Mas by Mallat, we have used Mas's words in preference to retranslating Mallat.

namely, the ancient locality of the arsenal. The treasurer also furnishes the expenses of a small chapel, those of their medical service, of pharmacy, of the infirmary, of the clothing of the pupils, and of six serving girls, the total sum amounting to 700 piastres per year, besides the support of a sacristan, four fagot-gatherers, and one woman to go for provisions. The treasury pays for the support of one superior, of one portress, and twenty-four collegiates, $1\frac{1}{2}$ reals (one franc) per day for each one. And they are given besides, from the royal magazines, 46 baskets of *pinagua* rice, of 15 gantas per basket, 25 quintals of wood, and 17 gantas of cocoanut oil for lights.

After the foundation of the confraternity of the Santa Misericordia, the latter also supported many poor Spanish orphan girls. It caused those girls to be reared either at Santa Potenciana or in private houses. But in 1632, a house having been bought in order to gather them all there together, the confraternity founded the school of Santa Isabel. The rules drawn up in 1650 were entirely changed in 1813. The number of the pupils in this institution is at present 105, who are admitted under divers titles and conditions. The boarders pay 60 piastres annually. The others get their education free. Day pupils are also admitted there, but they are not allowed to communicate with those who live in the house. The teaching is quite elementary. The service is furnished by twelve servant girls for the interior, and eight men for the outside work.

In the preceding chapters, the description of the *beaterios*¹⁸⁰ has been seen, of which the majority are dedicated to the education of poor young girls.

¹⁸⁰ See Mallat, i, pp. 367-369.

One can see, after what we have just said, that education in the Philippines, both of the children of the country and of the mestizos and Indians of both sexes, is not so greatly neglected as certain persons pretend, and that the colony has made, on the contrary, from the earliest times the greatest efforts for the instruction of the people. Even in the smallest villages the Indians find facilities for learning to read and write. For everywhere one finds primary schools which are supported by the people. On the other hand, the aptness of the Indians is quite remarkable. From the most tender age they can be seen trying to draw their letters with a sharpened bamboo either on the sand or on the green banana leaves. Also many excellent copyists can be found among them, who are skilful in imitating any kind of writing, designs, or printed characters. Among others, there is mentioned a missal book which was copied by an Indian and sent to one of the Spanish kings. It is asserted that it was impossible to distinguish it from the original. They also copy geographical maps with rare exactness.

It follows, then, that the instruction of the Indians is far from being backward, if one compares it with that of the popular classes in Europe. Nearly all the Tagálogs know how to read and write. However, in regard to the sciences, properly so called, very little progress has been made in them among the Indians of the Philippines. Some mestizos alone have a slight smattering of them, and those among the Indians who have received orders know Latin. The most erudite are without doubt those who, having studied at the university of Santo Tomás, have embraced the career of the bar. Among them are

counted advocates worthy of being placed by the side of the most celebrated in Spain.

In regard to what concerns literature, there is a Tagalog grammar and dictionary, as well as a work called *arte*, which is a kind of polyglot grammar, of the Tagalog, Bicol, Visayan and Isinayan. All these works, and in general everything that appears in one of the languages of the country, are published by the care of the religious, who have at their disposition the printing house of Santo Tomás, and who have the means of meeting the expenses of the printing, which the Indians could not do. Both at Manila and in its environs there are several printing houses for the use of the public. They are the presses of Nuestra Señora de Loreto at Sampaloc, which issues grammars, dictionaries, works of history, etc. There was formerly published at Manila a newspaper called *El noticioso Filipino*. Today it appears there only as [a paper of] the prices current in Spanish and in English. At our departure the establishment of a new newspaper was beginning.¹²¹

The literary works consist of pieces in verse, sometimes on very weighty subjects. Thus, for example, the "Passion of our Lord" has been translated into Tagalog verse. Then there are tragedies, which as we have mentioned above are excessively long.¹²²

¹²¹ Retana mentions a paper, *El Noticiero Filipino*, which he conjectures to have been founded in 1838, following Francisco Diaz Puertas, who mentions it. Retana refers to this passage of Mallat. See his *Periodismo filipino* (Madrid, 1895), for data regarding the various newspapers and periodicals of the Philippines. This also appeared in instalments in Retana's magazine *La Política de España en Filipinas*.

¹²² See "Drama of the Filipinos" by Arthur Stanley Riggs in *Journal of American Folk-Lore*, xvii, no. lxvii; and Barrantes's

They often contain the entire life of a king. There are, furthermore, little poems, *corridos*, epithaliums, and songs. These last especially are very numerous and have special names, such as *comintang de la conquista*, the *sinanpablo*, the *batanguino*, the *cavitegan*.¹³³ Not only are the words of these songs, but also the melodies, national, and the Indians note the music of them with prodigious cleverness. All the Indians, in fact, are naturally given to music and there are some of them who play five or six instruments. Also there is not a village, however small it be, where mass is not accompanied by music for lack of an organ. The choice of the airs which they play is not always the most edifying. We have heard in the churches the waltzes of Musard, and the gayest airs of the French comic opera.

Thus, as we have just said, the Indians are born musicians. Those who before knew only the Chinese tam-tam, the Javanese drum, and a kind of flute of Pan, made of a bit of bamboo, today cultivate the European instruments with a love which comes to be a passion. They are not, for the most part, very strong in vocal music, for they have very little or no voice. Nevertheless, their singing offers in our opinion a certain character of originality which is not unworthy of attention.¹³⁴

El teatro tagalo (Madrid, 1889). Mr. Riggs has ready for the press also a book on the drama of the Filipinos.

¹³³ "In the atlas is found the *Comintango de la languista*, noted with the accompaniment of piano and guitar, to which we have joined the words." (Mallat, ii, p. 247, note). Bowring reproduces this music at the end of his *Visit to the Philippines*.

¹³⁴ In regard to the musical ability of the Filipinos, see the slightly adverse comments of Archbishop Nozaleda, in *Senate Document*, no. 190, 56th Congress, 2d session, 1900-1901, pp. 98-100.

Scarcely had the Spaniards conquered that archipelago than its inhabitants tried to imitate the musical instruments of Europe, and the *viguela*, a kind of guitar having a very great number of strings, but which is not always the same, soon became their favorite instrument. They manufactured it with a remarkable perfection. And besides, they themselves made the strings.

The *bandolon* is another guitar, but smaller; having twenty-four metallic strings joined by fours. They are very skilful in playing that instrument, and they make use either of one of their finger nails, which they allow to grow to a very great length, or of a little bit of wood. We do not know from what nation they have borrowed that instrument, which we have never seen in Spain.

The music of the villages of which we have spoken is generally composed of violins, of ebony flutes, or even of bamboo in the remote provinces, and of a *bajo de viguela*, a large guitar of the size of a violoncello, which is played with a horn or ebony finger expressly made [for that purpose]. They draw from it very agreeable sounds. That music, somewhat discordant, is not often wholly without something agreeable in it. We cannot help admiring men who can reach that point without having taken lessons, and of whom the majority have perhaps never had occasion to meet an artist.

The military music of the regiments of the garrison at Manila, and in some large villages of the provinces, has reached a point of perfection which is astonishing. We have never heard better in Spain, not even in Madrid. It is at the square of the palace that, on Thursdays, Sundays, and fête days, at eight

o'clock in the evening, at the time when the retreat is beaten, the society of Manila and the foreigners and travelers, assemble to hear the concert. The Indians play there from memory for two or three hours alternately, from great overtures of Rossini and Meyerbeer, or contradances, and vaudevilles. They owe the great progress which they have made for some time in their military music to the French masters who direct them. These same musicians are also summoned to the great balls, where they execute pieces among the contradances played by other instruments.

We have stated that the vocal music of the Indians is not equal to that of their instrumental music, which is especially true of the quality of their voice, which is sharp and shrill. All their airs are applied to words of love; they are regrets, and reproaches, addressed to a faithless swain, and sometimes allusions drawn from the history of the ancient kings, or from holy Scripture.

Sometimes a number of Indians gather in the house of one of them and form a concert of amateurs. At that time they sing the Passion to the accompaniment of a full orchestra. At other times five, seven, or nine *bagontaos* (young bachelors) assemble at night in the beautiful clear moonlight and run about the villages in the vicinity of Manila, where they give serenades to their sweethearts, their *dalagas*, or *donzellias* [*i.e.*, *doncella* (maidens)], whom the Tagálogs who are of more distinguished rank and who speak Spanish call their *novias* [*i.e.*, sweethearts]. One could imagine nothing more singular and more picturesque than to see during those brilliant nights of the torrid zone, when the moon sheds floods of

silver light, and the balmy breeze tempers the burning heat of the atmosphere, to see, we say, the Indians crouched *en cuclillas* for entire hours without getting tired of that position, which we would find so uncomfortable, singing their love under the windows of their mistresses.

Numerous orchestras of musicians are summoned at any hour of the day to the houses of Manila in order to have all sorts of ancient and modern dances there: the old rigodons,¹⁸⁸ quadrilles, the English contradances, waltzes, gallops, and without doubt the polka will not be long in penetrating there also. It is rare among the Indians, and especially among the mestizos, that a baptism, marriage, or any ceremony is celebrated without music and dancing. The burial of children (*criaturas*) is always accompanied by music.

One further word on the extraordinary talent of the Indians for musical execution. One day we accompanied Monsieur Auguste Barrot, our worthy consul, the alcalde of the province of Laguna, on a tour which he was making for the election of gobernadorcillos. We reached Calaüan, where we stopped to sup and sleep at the house of a respectable cura whose house, like that of all ecclesiastics, was open to all travelers without exception. Travelers are there fed and lodged as long as they please to stop and without any cost to them. Now, at the house of this cura we heard an Indian who played with equal perfection on seven different instruments, on which he executed the most difficult pieces. When he had finished, the good cura, in order to amuse us,

¹⁸⁸ A dance allied to the quadrille, but with different and more graceful figures.

performed some sleight of hand tricks and juggling, and showed us a theater of marionnettes, which he had himself mounted.

The *comintang*, which we have before mentioned as a national song, is also a dance. While the musicians are playing and singing it an Indian and an Indian woman execute a pantomime which agrees with the words. It is a lover who is trying to inflame the heart of a young girl, about whom he runs while making innumerable amorous movements and greetings in the fashion of the country, accompanied by movements of the arms and of the body, which are not the most decent, but which cause the spectators to break out into loud and joyous laughter. Finally, the lover, not being able to succeed, feigns to be sick and falls into a chair prepared for him. The young girl, frightened, flies to his aid but he rises again very soon cured, and begins to dance and turn about with her in all directions, to the great applause of those present.

The *pampango* is another dance which is especially remarkable by the movements of the loins, and the special grace which the women show in it. It is accompanied by very significative clapping of the hands.

In the Visayas they dance the *bagay*, the music and song of which are langorous and melancholy, like that of the *comintang*. It is also a lover and a mistress who dance, the while they mingle their motions with cries.

The Montescos of the provinces of the north of the island of Luçon also dance to the sound of their bamboo flutes, but their gestures and their postures are so indecent that for shame a woman never dances except with her husband.

The Negritos in their dances hold in their hands their bow and arrows and utter horrible cries. They make frightful contortions and leaps to which in the country one has given the name of *camarones*, comparing them to those that the sea-crabs make in the water. They end their dance by shooting their arrows into the air, and their eyesight is so quick that they sometimes kill a bird on the wing. Their *ouroucaï*, or song of the mountains, is a very pleasing melody consisting of six measures which are repeated time and time again, which if it were arranged for chorus, would make a fine effect.

The *fandango*, the *çapateado*, the *cachucha*, and other Spanish dances have been adopted by the Indians, and they do not lack grace when they dance them to the accompaniment of castinets, which they play with a remarkable precision. They also execute some dances of Nueva España, such as for example the *jarabès*, where they show all the Spanish vivacity with movements of their figure, of their breasts, of their hips, to right and left forward and backward, and pirouettes, whose rapidity is such that the eye can scarce follow them.

Drawing and painting are much further advanced than one would believe among the Indians of the Philippines. Without taking into account the fine geographical maps of Nicolas de Ocampo, we can cite the miniatures of Denian, and Sauriano, the pictures of churches, and the oil portraits of Oreco. Those works are indeed far from being perfect, for the artists to whom they are due have never had any masters, but they present marks of great talent, and the portraits have a striking resemblance [to the original]. We seize this occasion to testify all our

gratitude to the two mestizo designers, Juan Sera-
pio Transfiguracion Nepomuceno, and his son, for
the services which as artists they have been pleased
to render us with so much kindness.

PRIVILEGES GRANTED TO STUDENTS

Royal order dictating rules for the incorporation, in the universities and audiencias of the colonies, of the studies and titles obtained in those of España, in the course of jurisprudence, and vice-versa.

Ministry of Grace and Justice:

Your Excellency:

Some doubts having been occasioned by the difference existing between the plan of studies in force in the Peninsula, and that which is observed in the islands of Cuba and Puerto-Rico, in regard to whether those youth, who have devoted themselves to the career of jurisprudence, may utilize, in one of these points of the monarchy, the courses taken and the titles obtained in the other; and the queen (whom may God preserve) desiring while the government is bringing to a head the fitting reforms,¹²⁶ to give the advisable harmony to the above-cited systems of education, to avoid the difficulties and prejudices caused by this uncertainty, has deigned to resolve, after hearing the opinion of the royal Council, that the following orders be observed in regard to this point.

[Points 1 and 2 refer to Cuba and Puerto-Rico.]

¹²⁶ See notes from Barrantes, in VOL. XLVI; and the decree of December 20, 1863.

3. Students, licentiates, or advocates of the Peninsula who go to continue their career or exercise their profession in the domains of the colonies shall receive credit for the courses which they shall have taken, and the degrees which they shall have obtained shall be recognized whenever they prove them legally, as well as the titles which shall appear to be proved by the competent decision of the supreme Tribunal of Justice or the Ministry of Public Instruction, according to their origin, and derivation.

4. The courts in the Antillas and Philipinas shall continue to observe the present practice of not admitting to the exercise of the profession of lawyer any Peninsular lawyer, unless he first makes the presentation of his titles, before the respective royal Audiencia. But when this legal requirement is observed, the assembly shall have no further power to submit the interested person to any exercise or examination with the object of assuring themselves of his fitness, but shall, on the contrary, consider their powers of intervention limited to declaring the legality of his title, once it has been proved according to the ruling of the preceding disposition, and to order that it be recognized and respected throughout their territory.

5. If, because of the distance or inclemencies of the navigation, considerable harm should come to licentiates, who, when going to the Peninsula, should lose their diplomas and documents, the Audiencia, opening an informatory writ, shall be able to allow them to exercise their profession for a determined period until the presentation of the documents in fitting form.

I write this to your Excellency by royal order, for your information and the advisable results. May God preserve your Excellency many years. Madrid, December 2, 1847.

ARRAZOLA

[*Addressed*: "Regent of the royal Audiencia and Chancillería of Manila."]

SUPERIOR SCHOOL OF PAINTING, SCULPTURE, AND ENGRAVING

Drawing and painting, for which the natives of the Filipinas show remarkable aptitude, began to be taught in the Sociedad Económica de Amigos del País [*i.e.*, Economic Society of Friends of the Country],¹²⁷ and in a more ample and official manner in the old School of drawing and painting created in 1849. Some notable artists have graduated from that school, who have, by their productions, honored their country in España and other nations, and obtained prizes in various contests.¹²⁸

By royal decrees of August and December, 1893, this institution was reorganized. The section of the

¹²⁷ The Sociedad Económica de Amigos del País was founded in 1813 for the purpose of encouraging interest in the arts, sciences, commerce, and industries. Alexander A. Webb, former American consul at Manila, says of it: "It is claimed on its behalf that it has accomplished a vast amount of good, but there is not that degree of energy and activity manifested in its work to be seen in similar organizations in some other countries." It had a library of about 2,000 volumes on the arts and sciences, natural history, and agriculture. See *Report of Commissioner of Education*, 1897-98, p. 980.

¹²⁸ The Filipino artist, Juan Luna y Novicio was a pupil of this academy. He also studied in Madrid, Paris, and Rome, and some of his paintings are conserved in the largest galleries. The total number of pupils enrolled in this academy from 1872 to 1883 was 5,485. See *Census of Philippines*, iii, p. 615.

fine arts was separated from the professional school of arts and crafts, and the superior school of painting, sculpture, and engraving was created. Teaching was amplified, and instruction given in various art subjects, including color composition modeling, and drawing from the antique and from nature, including figure drawing.¹³⁹ This academy was supported from local funds, a small part being contributed from the general budget. There were no enrolments or academic courses, and hence, no examinations. The pupils could attend as many years as they wished.¹⁴⁰ After its reorganization in 1893, the general attendance was from 200 to 300, and in spite of the poor instruction, some good work was done.¹⁴¹

¹³⁹ *Archipiélago Filipino*, i, p. 349; *Census of Philippines*, iii, p. 614.

¹⁴⁰ *Census of Philippines*, iii, p. 614.

¹⁴¹ See *Report of Philippine Commission*, 1900, i, pp. 39, 40. Drawing was introduced into the Philippine schools in 1903 upon a systematic basis. The Filipinos are interested and apt in this work, and show talent in original conception and artistic execution. The work is carried on by a staff of nine Filipino drawing teachers, one American teacher for the secondary and American schools, and a supervisor. The Filipino teacher is as competent as the American in this work. See *Report of Philippine Commission*, 1904, pt. 3, p. 890.

ATENEO MUNICIPAL

In 1859, the fathers of the Society of Jesus came anew to these islands to evangelize the savage tribes of Mindanao.¹⁴² While they were preparing for that enterprise, they were given control (December 10)¹⁴³ of the Escuela pía (charity school) of Manila, which then contained 33 pupils under the auspices of the municipality and the protection of the captain-general, then Fernando Norzagaray. By January 2 of the following year the pupils numbered 124. All the elementary primary studies were taught, as well as most of those of secondary instruction, and superior education, in accordance with the regulations then in force. In 1865 it was declared a college of secondary instruction under the title of "Ateneo Municipal [*i.e.*, Municipal Athenaeum] of Manila," by the Madrid government. Some years later it had 200 boarding pupils and a large number of day pupils, and it was impossible to accommodate

¹⁴² The first band of Jesuits who arrived in the middle of 1859, consisted of six fathers and four brothers, their superior being José Fernandez Cuevas (see Montero y Vidal, iii, p. 272). The royal decree readmitting them was dated March 21, 1852 (Barrantes, *Instrucción primaria*, p. 103).

¹⁴³ That charge was approved by a superior decree dated December 15 of the same year (Montero y Vidal, iii, p. 272). Examinations were in charge of the Dominicans (Ed. Report for 1899-1900, ii, p. 1621).

all those who wished to enter from all parts of the archipelago. In addition to the studies which constitute the course leading to the degree of bachelor of arts, studies of application, to agriculture, industry, and commerce were given, and titles of commercial experts, agricultural experts, and later, mechanical experts were issued.

There were also classes in drawing, vocal and instrumental music, and gymnastics. Expenses were defrayed by the municipality. Statistics show that between the years 1865-1882, a large per cent of those who have entered for the various branches have graduated, the per cent of those graduates studying agriculture being the lowest. In that period 173 A. B. degrees, 40 titles of commercial expert, and 19 titles of agricultural expert had been conferred. The year 1896-1897 showed a total enrolment of 1,176, of whom 510 belonged to the department of primary instruction, 514 to the general studies of secondary instruction, and 152 to the studies of application. The school enjoyed great prestige from its foundation to the close of the Spanish régime, as the methods followed there were better and more modern than any other in the archipelago.¹⁴⁴ It had a faculty of 24.¹⁴⁵

¹⁴⁴ The work of the Jesuits in this school is praised highly by Tomás G. del Rosario in the *Census of Philippines*, iii, p. 596.

¹⁴⁵ See *Report of Commissioner of Education*, 1899-1900, ii, p. 1621.

EDUCATIONAL SUGGESTIONS

SUPERIOR INSTRUCTION¹⁴⁸

University of Manila. Naval School.

The university has many enemies and some arguers who do not oppose it because it is directed by Dominican friars, but because they believe the study of law inadvisable. This opinion is anti-liberal and does not merit refutation. Even if it did merit it, the moment would never be opportune for a democratic revolution, which even runs the danger of going too far in its generalizations, as we have already stated. The greater convenience of a school of medicine and surgery, professions in which the Indians would probably give better results than in the forum, might be maintained. But since true progress does not consist in destroying, but in reforming and improving gradually, we are inclined as the generality of those who have been in Filipinas, to the realization of the secularization which is demanded in regard to superior public instruction, and which appears to be the desire of the government at this time, by means of the establishment

¹⁴⁸ Edmond Plauchut, writing in *Revue des Deux Mondes* for 1877, xx, p. 910, says: "The history of superior instruction, like that of primary, is only the dry relation of a furious struggle between two religious orders, that of the friars, and that of the Jesuits."

in the university itself of that school, to which the Dominican fathers, who have made the greatest sacrifices for their country, would not hesitate to offer themselves. And even if the study of pharmacy were added to it, it would also be convenient. That science must adjust itself to the conditions of the Indian, and there is an unquestioned need for it there; for, although its principal subdivisions have been studied by some religious, such as botany, mineral waters, etc., there is still much to do. It is the general opinion that the Philippine fields with their innumerable and unknown herbs offer remedies for all diseases, but the science is given up to chicanery, and the empiricism of the *mediquillos*. The Indians accept Spanish medicines under no consideration. Therefore, it is necessary to regenerate the class of the former by prohibiting intrusions into the field of the profession, and by obliging them to study it from its beginnings in the university of Manila under Spanish professors, who ought to be those of military health [*Sanidad militar*]—men who acquire great skill in the hospitals and come to be specialists in the diseases of the country. The suppression of some obstacles which still exist in regard to the admission of foreign professors will also be an excellent measure. In regard to pharmacy, of which there exist no regular establishments outside of Manila, Cavite, Cebú, and, I believe, Cagayán, great rigor must be exercised in removing from it abuses and ignorance which give place to the most grave consequences. As there exists no authoritative personnel, wandering peddlers easily obtain a permit from the superior government to add to their work the sale of drugs. At times they are subjected

to light examinations by the subdelegate. The consequence is that the provinces are swamped with counterfeit and dangerous products when they are not objects of perfumery, which the poor natives swallow as chemical products. In Pampanga we have seen a preparation of lettuce or of some similar vegetable sold as a tailor's chalk [*jaboncillo de saastre*], which was of more use for washing the hands than for modifying the nervous contractions of the muscles.

Hence, the intrusions of the *mediquillo* and of the *matandá* (the old man) who with true enchantments and superstitious remedies cures the poor sick people, cannot be combated with efficacy. In Batangas dead flies that were killed by the fresh paint of a saint have been prescribed, and brick dust where the mark of a foot had appeared to the native curas as a miraculous thing imprinted by the Virgin who was coming to adore a cross near by. The pills of Holloway and the products of foreign charlatanism reap their harvest.

Hence also, the poor parish priests have to serve as physicians and apothecaries in extreme cases. Very frequently the *mediquillo* when he sees that it is a case of exhaustion, absconds or disappears, and then what can a poor friar do at the bedside of a sick person who dies without human aid? Consequently, the literature of the convents has produced many [medical] works, some of them of merit, destined to be used as a *vade mecum* in these ordinary cases. Even notions of obstetrics (the science of childbirth) are given in some of those books, since there are theologues who counsel proceeding to the most risky operations in order to be able to

baptize the fetus. In the *Embriologia* [i.e., *Embriology*] of Father Sanz,¹⁴⁷ one reads of cases truly inconceivable, and in the *Ilustracion filipina*,¹⁴⁸ a periodical which was published in our time, appeared articles in regard to the mediquillos and midwives, which by themselves alone would authorize a reform of those professions so interesting to humanity. In difficult childbirth it is very common for the operator to press down on the abdomen of the sick woman, and to have recourse to other proceedings similar to it. The first month after birth the Indian children pass in a perpetual martyrdom, for they are rubbed hourly with very hot cocoanut oil, a custom doubtless preserved from the woods, where in their savage state they make of the children a flexible serpent which escapes from the hand.

Since surgery, in spite of being an almost useless science in Filipinas, where the great agricultural and industrial works which cause mutilations and accidents do not exist, for the Indian when he works never does it with the enthusiasm and abnegation which we see in Europa, but very tranquilly and carefully looking out beforehand to what he exposes himself—surgery, we repeat, properly so called—does not exist where there are no Spanish operators. For the bite of a monkey, which would disappear in a fortnight by cauterization, we have seen so many plasters applied and so many waters from miraculous springs (among them a bandage soaked in holy water) that they have very likely killed the sick per-

¹⁴⁷ The *Embriologia sagrada* (Manila, 1856), by Gregorio Sanz.

¹⁴⁸ The first number of this fortnightly paper appeared in Manila, in March, 1859, and its last issue, December 15, 1860. It is but rarely found complete. Retana praises it highly. See *Politica de España en Filipinas*, iii, pp. 103-105.

son, since he had suffered two long years when we left the province. If the oils and balsams from those oleaginous plants (and among them there are some truly wonderful) produced no effect, the *medi-quillo*, losing his bearings, soon has recourse to the charms and devilments which bring a sick one to the grave.

There is another educational institution in Manila which is susceptible of great development and of producing vast advantages for the country, namely, the naval school. Poorly organized and almost always worse directed, it only graduates pupils with great pretensions, who aspire from the first moment to posts in the warships, where they are quickly confounded with the very least predicaments. If this institution on the other hand were well organized as a school of pilots, it could supply useful men to the great number of boats engaged in the coasting trade. The native sailor is bold even to folly in the ordinary accidents of navigation, but timorous and irresolute in exigencies, and absolutely lacks means to escape from them. Hence they go with the greatest impassiveness through those labyrinths of hidden rocks and reefs, which fill the sea of Mindoro and the Calamianes in *pancos* and *paraos* which scarcely can be used for the navigation of rivers and creeks. But at the first puff of a strong wind, which, although it does not break it, tears the helm from their hands at the first movement of that stormy sea where cataclysms are more frequent than ashore, the poor *arraez* [*i.e.*, master] as the captain there is still called, harassed and disturbed, either kneels down with all his crew to invoke God, placing on the helm his *antin-antin* (amulet, a kind of scapulary which no

Indian is without during these voyages, and which has more of paganism than Christianity), or takes refuge in the hatchway in order not to behold the dangers that he is running. If any Spaniard is in the boat, the command is assuredly given to him, although he understands less of sea-affairs than the said captain. That has happened more than once to all of us who have traveled much from one island to another, and surely not even in boats of a certain importance, almost brigantines, when the master is a Tagalog, have we ever met with sea-compass, barometer, or glass, or any other of the instruments most indispensable for navigation.

This is enough to prove the importance which ought to be given to the naval school, whose organization must be very imperfect, since even yet its results are almost nil. It depends provisionally on the superior civil government, a circumstance which appears absurd to us. Like this there exist many things which we have neither time nor scientific capacity to unfold. It belongs to the government to do now what is proposed, namely, reform the public instruction of Filipinas.

SCHOOLS OF PRIMARY LETTERS

The primary school, the most interesting among all peoples, and more yet among backward peoples, was found in our time in an incipient condition, if one considers it as the government desires it, and as a great number of royal decrees resolved. Primary instruction in Castilian was alone known in Manila and some suburbs of the capital, but in the dialects of the country there existed boys' schools in all the villages, and in the majority of them, also schools

for girls. It is a fact that such schools did not count on more elements than the pay assigned by the government for the teachers,¹⁴⁰ and the parish priests together with the provincial chiefs had to decide on the means for the construction and conservation of the edifices and furnishings, the former paying in addition their salaries to the teachers of the girls, or paying them from the funds of the churches according to the wealth of each one.

This system gave the consequent result of there not being any suitable directors for complete primary instruction. But in reading, writing, and religion, in the majority of the villages of the archipelago, there was found a greater number proportionally than in España, for the missionaries always

¹⁴⁰ Schools exist in all the villages. The teacher is paid by the government, and usually receives two dollars [*i.e.*, pesos] per month without either lodging or board. In large villages, the pay is as high as three and one-half dollars, but he must pay an assistant out of that. The schools are under the supervision of the parish priests. Reading and writing are taught, the instruction being in Spanish. The teacher is properly required to teach his scholars Spanish, but he himself does not know it. On the other hand, the Spanish officials do not understand the native languages. The priests, moreover, have no inclination to alter these conditions, which are very useful for their influence. Almost the only Indians who know Spanish are those who have been in the service of Europeans. A sort of devotional primer is read in the native speech (Bicol) at first, and later the Christian doctrine. The reading book is called *Casayayan*. On an average, half of the children attend school, usually from the seventh to the tenth year. They learn to read somewhat, and some learn also a little of writing, but they forget it soon. Only those who later enter service as clerks write easily, and most of them have a good hand. Some pastors do not allow boys and girls to attend the same school, in which case they also pay a special schoolmistress at the rate of one dollar per month. The Indians learn to reckon with great difficulty. They generally take shells or stones to help them, which they heap up and then count. See Jagor's *Reisen in den Philippinen* (Berlin, 1873), pp. 128, 129.

considered that education as the first element of civilization and adhesion of those inhabitants to the crown of Castilla.

The government tried to improve and make general that education, but in the Spanish language.¹⁸⁰ For that purpose the assembly appointed in 1861 made some regulations, taking as its base the creation of a normal school, which has had realization, and according to Señor Barrantes, in the above-cited work, it seems that instruction has improved somewhat in what relates to the Spanish.

The question of whether the parish priests or missionaries have opposed those rules is of little importance to us. As in all disputable cases there are partisans who favor and those who oppose – not the advantage which the generalization of the Spanish language might be, for all people recognize and admit this hypothesis, but only the results which the generalization of the Spanish language would pro-

¹⁸⁰ "The Spanish government was really anxious that all Filipinos should speak the Spanish language, as it is understood that the use of a common language is the manner of forming a national spirit and sentiment, the only thing that can preserve and unite in constant friendship people of different races. Nevertheless, the monastic orders were always decidedly opposed to the Spanish language being spoken in Philippine territory, because their interests would have been greatly injured if such language had become general throughout the archipelago, as from that time they would have ceased to be the intermediaries between the people and the authorities and would no longer be required by either, which would reduce their great influence with both parties. . . . As a consequence of all this the Spanish language did not become general, and due to the diversity of dialects in the country and the lack of books in these dialects, education went along a hard and difficult path. Some officials of the Spanish government assisted the friars in this work." See Tomás del Rosario's article in *Census of Philippines*, iii, p. 594. For the friar side of this question, see the statements of Fathers Navarro and Zamora, which will appear in the appendix to our VOL. XLVI.

duce, reckoning on the slight capacity of the natives to utilize the good that they might read in the idiom of Cervantes, and bearing in mind the political make-up of that country and the evil effects which would be produced by the daily publications which would arrive [from España], and which are incapable of enlightening the little but submissive intelligence of those inhabitants, yet always sufficient to excite the passions of men who would easily confuse rights with individual duties, giving a worse result than that which the history of our ancient colonies registers.

As we do not know of this department in the present circumstances more than that which the above-cited work brings to light, we shall limit ourselves to calling the attention of the government so that it may introduce in that department all the improvements possible, extending the normal school, which gives very slight results for a people of five millions, and proving whether this normal school, organized with a mixture of the language of the country and of the Spanish and by creating one school in each group of provinces belonging to the same language, would give a more positive result in regard to instruction, and one even more efficacious for the propagation of the Spanish by printing works in two columns in the two languages.¹⁵¹

What the archipelago lacks are men and women teachers to give instruction in the primary schools. Industrial teachers, professorships for foremen and assistants for public works and master masons would produce a great result in that country. Lastly, let

¹⁵¹ See appendix to VOL. XLVI for the regulations of the government normal school.

all the generals bear in mind what the various ancient decrees rule to the effect that a charge shall be made to them in their residencias for their neglect in public instruction.

PUBLIC INSTRUCTION

Public instruction is sufficiently far advanced in Filipinas, especially in what refers to primary instruction.

It is strange to see that in the most remote villages, the majority of the Indians know how to read and even to write, having learned without teachers, and solely through the strength of their inclination and extraordinary patience.

The public schools are better organized today, and have in charge of them teachers who have graduated from the normal school of Manila. It cannot fail to be worthy of striking the attention that almost all the boys and girls who attend the schools read Spanish without understanding it, and write our language by drawing the letters materially.

Secondary education is studied in the college of San Juan de Letrán, created into an institute in 1820; in that of Santo Tomás, in charge of the Dominican fathers; in the Ateneo Municipal, under the direction of the Jesuits; in the college of San José, directed by the secular clergy; and in various private schools.

Superior branches are studied in the royal and pontifical university of Santo Tomás, of Manila, founded at the beginning of the seventeenth century.

It was erected under the name of College of Santo Tomás de Nuestra Señora de Rosario of Manila, August 15, 1619. Felipe IV approved it by a decree of November 27, 1623. Pope Innocent X conceded to this college on November 20, 1645, the title of university, and Clement XII extended its studies to civil and canonical law, and the other subjects that are studied in universities.

It is pontifical, for the degrees which are conferred in it have canonical effect and supply ecclesiastics for determined charges, according to the bulls of Innocent X and Clement XII.

It is in charge of the illustrious Dominican fathers, its founders, who fill the greater number of its chairs.

With reference to the reform introduced by royal order of October 29, 1875, the studies necessary for the professions of jurisprudence and of the Church, and of medicine, pharmacy, and notary, are given in this institution.

Manila has a seminary, called San Carlos, and the same is true of Cebú and Iloílo.

The seminary in Camarines Sur is called Nuestra Señora del Rosario, and that of Ilocos Sur is entitled Nuestra Señora de la Concepción.

Furthermore, there is a naval academy in Manila, another of drawing and painting, a normal school for men teachers, chairs of bookkeeping, languages, and history, and a meteorological observatory.¹⁵²

¹⁵² The meteorological observatory was founded by the Jesuits in 1865, its main object being the discovery of the laws of the typhoons that rage in Oriental seas. Its other departments – seismic, magnetic and astronomic – were added later. For the first five years the apparatus was very scarce, and most of that was lent by the Ateneo Municipal, but notwithstanding that, some excellent work was done in those early years. In 1870, the publication of a bulletin was begun, and new apparatus began to be

The naval school was established in 1862, at the instance of the consulado of commerce. In it are taught arithmetic, elementary geometry, plane and spherical trigonometry, cosmography, pilotage, practical geometry applied to the construction of hydrographic maps and plans, and methods of drawing them, etc., etc.

The academy of drawing and painting was instituted by the Board of Trade, March 1, 1849. Its classes consist of figure drawing, ornamentation, and modeling, both in nature and in colors.

The normal school for the training of men teachers of primary instruction was created by royal decree of December 20, 1863, and was inaugurated January 23, 1865, under the direction of the fathers of the Society of Jesus.

For young women, Manila has the beaterio of

installed. The first typhoon was forecast and notice of its coming given in 1879. Finally the government authorities made the observatory a central institution and placed it officially in charge of the Jesuits. In 1898, through the influence of the British meteorologist at Hongkong, the United States government ordered the coming of typhoons not to be announced, but the order was speedily revoked. Of this observatory Packard says in the Educational Report for 1897-98, pp. 973, 974: "The latest fruit of the scientific activity of the Jesuits, and the most important and best known scientific institution in the Philippines, and perhaps in the whole east, is the famous meteorological observatory of Manila, which was founded in 1865, and now has one of the most complete equipments for meteorological observations in the world. An important practical service which the observatory renders shipping is the warning of approaching hurricanes, which it is enabled to give by means of its branch stations at different points in several of the islands. The Jesuit father Faura, who is so well known for his meteorological work, has been for a long time in charge of the observatory, and began forecasting the weather as early as 1879. Expeditions have been made under his direction all over the archipelago, with a view to making magnetic and other observations." See also *Archipiélago Filipino*, ii, pp. 5-16.

Santa Catalina de Sena, instituted in 1696 for the general instruction of girls, and ruled over by a prioress chosen by the mothers; the beaterio-college of Santa Rita, created in 1740, for the education of Indian orphan girls; that of Santa Rosa, founded in 1750, for the purpose of educating poor girls; the college of La Concordia; that of Santa Isabel; and the municipal school for girls, directed by the sisters of charity.

STATISTICS CONCERNING PRIMARY INSTRUCTION

According to the *Manual del viajero*,¹⁵³ published in 1877, there are in all Filipinas, at the account of the State, 1,016 schools of primary instruction for boys, and 592 for girls, 98,761 attending the former, and 78,352 the latter, as follows:

	Schools		Pupils who attend	
	Boys	Girls	Boys	Girls
In Luzón . . .	599	244	44,476	28,805
Adjacent islands .	49	28	3,934	1,970
Visayas . . .	302	284	43,281	41,193
Mindanao . . .	66	36	7,070	6,384
	<hr/>	<hr/>	<hr/>	<hr/>
	1,016	592	98,761	78,352
	1,608		177,113	

According to data sent to the Statistics Board of Filipinas, and compiled by Señor Cavada,¹⁵⁴ the condition of public instruction in 1870 was as follows.

¹⁵³ "Manual for the traveler:" a guide book, in which various interesting statistics are published.

¹⁵⁴ *Historia geográfica, geológico y estadística de Filipinas* (Manila, 1876), by Agustín de la Cavada y Mendez de Vigo. This author was for many years a State official in the Philippines. He died in Spain in 1894. See Pardo de Tavera's *Biblioteca filipina*, p. 96.

PRIMARY INSTRUCTION

Island of Luzón

Boys. — Schools, 657; attendance, 118,652; read, 34,119; write, 25,374; talk Castilian, 2,165; ignorant, 56,994.

Girls. — Schools, 439; attendance, 76,773; read, 19,447; write, 7,924; talk Castilian, 1,940; ignorant, 47,462.

Visayas Islands

Boys. — Schools, 325; attendance, 98,687; read, 28,003; write, 23,518; talk Castilian, 3,062; ignorant, 44,104.

Girls. — Schools, 317; attendance, 84,357; read, 25,978; write, 12,817; talk Castilian, 979; can sew, 22,380.

Island of Mindanao

Boys. — Schools, 22; attendance, 4,769; read, 1,547; write, 1,064; talk Castilian, 114; ignorant, 2,044.

Girls. — Schools, 19; attendance, 2,669; read, 763; write, 130; talk Castilian, 58; ignorant, 1,718.

INSTRUCTION

Island of Luzón

Males. — Read, 183,394; read and write, 194,628; ignorant, 1,051,823; talk Castilian, 48,206; ignorant of Castilian, 1,381,639.

Females. — Read, 174,516; read and write, 50,082; ignorant, 1,119,994; talk Castilian, 26,844; ignorant of Castilian, 1,314,748.

Visayan Islands

Males. — Read, 109,373; read and write, 125,187; ignorant, 628,960; talk Castilian, 21,466; ignorant of Castilian, 842,054.

Females. — Read, 89,558; read and write, 49,681; ignorant, 731,240; talk Castilian, 9,019; ignorant of Castilian, 861,460.

Island of Mindanao

Males. — Read, 8,169; read and write, 5,733; ignorant, 62,534; talk Castilian, 76,436; ignorant of Castilian, 4,994.

Females. — Read, 6,160; read and write, 1,510; ignorant, 60,721; talk Castilian, 68,391; ignorant of Castilian, 3,934.

SECONDARY EDUCATION

Academic course, 1883-84

	Registration of matriculation	Studies of application
College of Santo Tomás,	3,561	274
<i>Idem</i> of San Juan de Letrán,		
Ateneo Municipal,	665	84
Private schools (general studies),	614	

SUPERIOR EDUCATION

Academical course for 1883-84

	Registration of matriculation
Theology,	65
Canon law,	3
Jurisprudence,	232 ¹⁵⁸

¹⁵⁸ The Indian and mestizo advocates, too abundant in that country, are a real calamity to it, and the same thing may be said of them as of the Indian secular clergy. They do not know the

Notary,	15
Medicine,	395
Pharmacy,	102
Practitioners of medicine,	72
Practitioners of pharmacy,	19
Midwives,	12

By means of the incomplete data which precede, and it is a fact that they do not exist in more exact form or of more recent date in the Ministry of the Colonies, it is easy to recognize the great results which can be obtained in regard to making reading and writing general among the Indians, and in seeing that they learn the Castilian language, for only a very small fraction of them know it very superficially.

Some advance has been made since the establishment of the normal school. But there is still much to do, and it is necessary that so crying a need be considered with the haste and decision that this important matter demands.

The establishment of schools of arts and crafts will also be very convenient and useful, and truly they will be productive of great results. Everything which contributes to the propagation of the teaching of industries, to the creation of superintendents and assistants of public works, master-masons, and

law, nor do they ever come to understand what they have studied. They obtained their certificate, thanks to the excessive tolerance of their professors, and once converted into licentiates and even doctors, they pay for their benefits and the honor which they have received by becoming outrageous anti-Spanish. They believe themselves superior to the latter, and dream of republics in which they can figure and strut. Their ridiculous hopes, and their vanity and deficiency would be excusable, if they did not deceive their simple countrymen in a nursery of litigation with their eagerness of defending evil causes. Such is, although it be a cause for regret, the general rule. See Montero y Vidal, *Archipiélago Filipino*, pp. 192, 193, note.

all that relates to these matters, ought to be encouraged, and must be an advantageous and efficacious blessing to the natives of that country, who are extremely skilful in all the imitative arts and crafts, rather than for the studies which demand the employment of the superior faculties of the intelligence.¹⁸⁸

¹⁸⁸ This is one of the needs that has been most apparent to the American authorities since 1898. The stress laid upon industrial training is evident from the many Filipinos among the government pupils now in the United States, who are being trained especially in agriculture and the various forms of engineering. Regarding trade schools and industrial instruction, see *Report of Philippine Commission*, 1905, iv, p. 412.

GIRLS' SCHOOLS IN MANILA AND THE PROVINCES

There are four colleges for the education of girls without taking into consideration the municipal school of Manila,¹⁸⁷ and the college of Santa Isabel, of Nueva Cáceres.¹⁸⁸ These are the college of Santa Isabel, that of Santa Rosa, that of Santa Catalina, and that of La Concordia, also called college of the Immaculate Conception, all located in the capital of the archipelago. Of all these institutions, the oldest is the college of Santa Isabel, founded in 1632 for the education of Spanish orphan girls by a pious foundation called the Santa Misericordia. In 1650, the first regulations for the government of the same were issued, which continued in force until 1813, when they were revised. The college is supported from part of the interest derived from the Misericordia legacy, administered by a board, of which the civil governor of Manila is the president. It also enjoys a grant of land in Tagudín, province of Pangasinán, by a royal cedula of March 14, 1680, which produces an income of 600 pesos per annum.

Until the beginning of the present century, nearly 13,000 girls had been educated in this institution.

¹⁸⁷ See VOL. XLVI, appendix, for the regulations of the municipal school for girls.

¹⁸⁸ See *ut supra*.

In 1861, the governor-general of the archipelago added the royal college of Santa Potenciana to the college of Santa Isabel.¹⁵⁹ The former was composed of the orphan daughters of military men, and was a most ancient and beneficent institution, founded about the end of the sixteenth century by Perez Dasmariñas. It afforded shelter and protection to the orphan daughters of military men who had succumbed to the climatological influences of this country, or had died in the defense of their country.

The colleges were under the protection of private ladies and afforded quite sufficient instruction. In 1863, the sisters of charity assumed charge of the same, to the great advantage of the college and of the morality of the pupils.

In 1879, the college underwent a considerable reformation by order of Governor-general Moriones, who gave the college a new set of regulations and opened its doors to day pupils and half-boarders, and in 1880 the board of directors established new chairs, which make this establishment one of the most complete for the education of European young ladies.

Girls admitted are given a dowry of 500 pesos, but under the condition that they must first secure the title of teacher, without which requisite, even though they get married, they are given nothing. When they have concluded their studies, they engage in work, and the college reserves to them one-half

¹⁵⁹ The school or college of Santa Potenciana was suppressed in 1865, and its building became the provisional palace of the governor general. Its collegiates reduced to twelve were transferred to the school of Santa Isabel. See Barrantes's *Instrucción primaria en Filipinas* (Manila, 1869), pp. 17, 18, note.

of what they earn, which is added to their dowry.¹⁰⁰

Retreat and college of Santa Catalina

The college of Santa Catalina follows next in order of antiquity to the college of Santa Isabel. It was founded in 1696 by the provincial, then belonging to the Dominican order, the very reverend father, Juan de Santo Domingo.

There were purchased for the purposes of the college, at the account of the province of Santísimo Rosario, some houses adjoining the convent of Santo Domingo, to serve as an asylum to the young ladies who desire to consecrate therein their virginity to the Lord.

The institution was inaugurated on the day of St. Ann, of the year mentioned, after the approval of the rules to be observed, in conformity with the spirit and statutes of the Tertiary Order of St. Dominic, with some modifications for the proper interior régime, based upon the principal laws and ordinations of the province of Santísimo Rosario. On this day some ladies who had long before adopted the dress of the Tertiary order, took the vows, binding themselves to the strictest observance of the new rule, and taking the three religious vows with all the necessary formalities.

Among the new nuns was the sister of Mother Francisca, who, in order to adopt the Dominican vestments, left the rectorate of Santa Isabel.

The new retreat was given for a patron, the seraphic mother, Santa Catalina de Sena. It was also ordered that there should be only fifteen choir nuns,

¹⁰⁰ See an account of this school in *Archipiélago Filipino*, i, p. 352.

in honor of the mysteries of the rosary, with some lay sisters to attend to the material service.

The foundation of this retreat was approved by a royal despatch signed February 17, 1716, which put an end to the various petitions which had been submitted to the court against its installation. In 1732, a new cedula granted the retreat the right to have a church with a bell, and prescribed, at the same time, that the inmates were not required to observe retirement by a rigid vow, but only for the purposes of good administration.

The practice observed is that the sisters never pass through the inside door of the convent, which is in charge of one of the gravest sisters, but any person can enter it with express permission from the provincial.

Although in the beginning, the college of Santa Catalina was nothing but a house, to which Spanish ladies, desirous of renouncing the vanities of the world and of devoting themselves entirely to the service of God, retired, the Dominican order did not long delay in assigning some of the sisters to instruction in a college. From that time, the retreat took the character of a college, where the pupils, at the same time that they were instructed in reading, writing, Christian doctrine, and other work suitable to their sex, learned to practice virtue.

In 1865, it was deemed proper to increase the number of sisters fixed when the retreat was established, in order to be able to extend instruction further, and thus place the college on the same level as the best equipped colleges of the same class in this capital.

The inmates of this institution are not permitted to leave it without good cause.

They may be visited by their parents and other friends and acquaintances in a reception room located near the door of the college.

After the earthquakes of 1880, notable improvements were made in the material part of the building;¹⁶¹ and at the present time, in the departments necessary for the good service of the college, this establishment has a spacious working-room, large class-rooms, well-ventilated dormitories, a beautiful bathroom, and an ample and capacious dining-hall.

The retreat is managed by a prioress, elected every three years by the sisters, who acts, at the same time, as the mother superior of the college; at the head of the latter, nevertheless, there is a directress in charge of the instruction.

The spiritual direction of the retreat and college is in charge of a father of the order, appointed by the corporation for the charge of vicar.¹⁶²

College of Santa Rosa

This establishment was founded in 1750 by the Paulist Mother de la Trinidad, a nun of the Tertiary Order of St. Dominic. She arrived in Manila the preceding year, whither she had resolved to come from the Peninsula, desirous of consecrating herself to the good of others. Being convinced that the greatest service she could render the public was to establish an educational institution, she immediately took steps to carry out her holy work, and in a short time by her ardent zeal she secured sufficient funds for the establishment of a retreat, where she sup-

¹⁶¹ See *Archipiélago Filipino*, ii, pp. 280 *et seq.*, for data regarding earthquakes in the Philippines. A number of shocks are recorded for 1880, but none especially disastrous.

¹⁶² See also *Archipiélago Filipino*, i, pp. 352, 353.

ported on charity a certain number of native young women for the purpose of educating them in the fear of God, in Christian doctrine, and in all exercises suitable for a woman. This was done so that, whether they left the retreat of their own will and married or remained therein, they would develop strong moral principles.

His Majesty has taken this college under his royal protection, and the regent of the Audiencia supervises it in his name, with the corresponding powers.

The spiritual direction is, at the present time, entrusted by the archbishop to the very reverend Fray José Corujedo, former provincial of the corporation of St. Augustine.

Up to January 26, 1866, the education of the girls was in charge of elderly ladies, of well-known education and virtue, who acted as teachers; but, on this date, by superior order, the sisters of charity undertook the direction of the institution, which they discharged to the satisfaction of all.¹⁰³

College of La Concordia or of the Immaculate Conception

In the town of Paco, a suburb of Manila, there is a college, which was inaugurated May 3, 1868, ordinarily called the college of the Concordia. The entire grounds and part of the building, which now serves as a college, were piously donated to the sisters of charity by a charitable lady named Margarita Roxas, whose picture is exhibited in the reception room. Five-sixths of said college have been built since its foundation.

This college is the exclusive property of the sisters of charity, who act at the same time as teachers

¹⁰³ See also *Archipiélago Filipino*, i, p. 353.

therein. It occupies a very picturesque and open position on a beautiful plain between the towns of Paco and of Santa Ana, and has very capacious and well-ventilated rooms.

It is the central building of the sisters of charity of the Philippines, and usually a priest of the congregation of the mission, entrusted with the spiritual direction of the college, lives therein.

The studies and work in this college and the distribution of classes are identical with those of other colleges.

From the date of the foundation of the college, up to the present year, 62 pupils have been examined for teachers, of whom 35 were classed as excellent, 17 as good, and 10 passed.¹⁰⁴

Asylum of St. Vincent of Paul

This institution is situated in Paco, a suburb of Manila, in the barrio of Looban. The building and its grounds belong to Sister Asunción Ventura, a sister of charity, who, being anxious for the welfare of poor girls, donated it to the congregation of the sisters of charity, in order that said building should be used as an asylum for the education of about 30 poor girls. The institution was inaugurated on November 26, 1885. Pay pupils are also admitted for the moderate fee of 6 pesos per month.

The sisters of charity of this institution number 5.

Boarding pupils,	37
Poor pupils,	45
Servants,	9

Total, 91

¹⁰⁴ See also *Archipiélago Filipino*, i, p. 353.

The pupils are taught Christian doctrine, reading, writing, Spanish grammar, and the four rules of arithmetic. They are also instructed in the work of their sex – sewing, embroidering, the making of artificial flowers, and some in housework, such as cleaning, cooking, washing clothes, etc.

College of San José de Jaro

On May 1, 1872, the sisters of charity opened, with the permission of the vice-royal patron, the college of San José, in Iloilo, for the instruction and education of girls. In doing this, they acceded to the wishes expressed by some good Spaniards and some principal citizens, and supplied a want in that capital. This college continued in existence until 1877, when it was closed on account of the lack of funds, as it had no funds but those derived from the fees of the pupils, who were very few toward the end.

Fray Mariano Cortero, bishop of Jaro, availed himself of the opportunity to call the sisters to his city, and placed the school in their charge. A house was leased, and beside it a frame building was constructed for school purposes, able to accommodate about 200 girls. Up to 1881, no boarding pupils were accepted, on account of the lack of room; but later, at the request of some families, some girls were admitted, the number of whom gradually increased to 50 – too large a number for so small a house. This led to the necessity of enlarging the building, which was done by raising the school roof, and making an upper story, by which means a large and spacious room was secured as a dormitory for the girls, besides a beautiful chapel.

Instruction is divided into three classes – superior,

secondary, and primary. In the lowest class, reading and Christian doctrine are taught. In the secondary class, Christian doctrine, reading, writing, sacred history, and arithmetic are taught. In the superior class, the reading of printed and written matter is taught, as well as the writing of Spanish and English characters, geography, sacred and profane history, and arithmetic, as well as piano for those who wish. They are also instructed in the work of their sex—sewing, embroidering, artificial flowers, etc.

Convent of San Ignacio

Its foundation dates back to the year 1699, and it was directed by the fathers of the Society of Jesus until they were expelled in the last century, when it passed to the charge of the provisor of this archbishopric. Its original object seems to have been that of educating native girls in the fear of God, and to give them primary instruction and instruction in the work of their sex. This retreat serves as an asylum for devout women.

Since 1883, a school has been established in this retreat, with three teachers. They teach reading from the first letters, Christian doctrine, compendium of morals, sacred history, courtesy, arithmetic, Spanish grammar to the analysis of analogy, and in addition they have every week an explanation of the gospel, in charge of a priest of the secular clergy.

Needle-work is taught from the first stitches to the finest embroidery.

Oil painting is also done in this institution, and we have a teacher of embroidery, who is an expert in this art, and whose work is much applauded.¹⁶⁸

¹⁶⁸ The following results of a table show the following statistics in regard to girls' schools between the years 1864-1883. Santa

[The following girls' schools are noted also by *Archipiélago Filipino*, i, p. 353.]

Schools for the education of girls, which, without having the rank of normal schools, exist outside the capital of the archipelago, are principally the four following, the first three of which are in charge of the Dominican nuns.

That of Nuestra Señora del Rosario, founded in Lingayén (Pangasinán), in 1890, with 60 pupils; that of Santa Imelda, founded in Tuguegarao (Cagayán de Luzón), in 1892, with 81 pupils; that of Nuestra Señora del Rosario, in Vigan (Ilocos Sur), with 90 pupils; and finally, that of San José de Jaro, under the direction of the sisters of charity, with 116 resident pupils, 160 day, and 14 half-boarders.

Catalina: boarding pupils, 1,617; teachers, 7. Santa Rosa: boarding pupils, 2,959; teachers, 23. Concordia: boarding pupils, 2,103; day pupils, 623; teachers, 32. Santa Isabel: free boarding pupils, 475; pay boarding pupils, 149; day pupils, 112. Municipal school: day pupils, 5,163; teachers, 74; awards conferred, 332; accesit, 1,058. The instruction given in these institutions was always under the immediate direction of the friars, and was consequently of a religious character. Some of them were known as *beaterios* or retreats, institutions devoted primarily to religious practice. Primary and secondary instruction were both given. In some of them the instruction was very poor, as many of the scholars graduated without knowing how to speak Spanish. It was only in the college of Santa Isabel, in the municipal school, and in some private schools that adequate instruction was given. Some of these colleges were houses of recreation or of rest rather than educational institutions, where not only girls, but women, both married and single, went to pass some time, for the purpose of change or to renew their clothing. Girls from the provinces often attended the schools in Manila to learn the social manners and polish of the capital, but they often failed of their purpose, for social education was frequently neglected in them. The class distinction between Spanish, mestizo, and Filipino girls was unfortunately inculcated. The principal ends of the sisters of charity being the care of their convents and hospitals, they could not obtain as good results in education as if their time had been spent entirely in that field. See *Census of Philippines*, iii, pp. 620, 621.

Lastly, centers also devoted to the instruction of girls are the Real Casa de Misericordia in Cebú, the beaterio of the Society of Jesus in Manila, and those of Santa Rita in Pásig, and San Sebastián in Calumpang. However, we shall not review them here, as they are chiefly religious institutions.

SCHOOL OF AGRICULTURE

The Manila school of agriculture was created by royal decree of November 29, 1887, and established at Manila, July 2, 1889.¹⁰⁰ The objects of the school

¹⁰⁰ This school must not be confused with the Agricultural Society of the Philippines, an institution created November 15, 1881, and a dependency of the department of general inspection of forests, especially as the separation of these two institutions was effected in July, 1884. See *Report of Commissioner of Education*, 1899-1900, ii, pp. 1625, 1626.

A school of botany and agriculture was ordered created in Manila by royal decree of May 29, 1861, under the dependency of the governor of the islands and the immediate supervision of the Sociedad Económica. The site called Campo de Arroceros was set aside as a botanical garden for the practical exercises of the school. The school was to be composed for a time of one botanical professor, director at the same time of the botanical garden, with a salary of 2,000 pesos; of two teachers of horticulture, at salaries of 500 pesos; of ten workmen chosen from the pupils, who being relieved at three year periods, were to receive 100 pesos apiece annually; while the municipalities could name certain pensioners to study in the school. The sum of 2,000 pesos annually was set aside for the material expenses of the garden and school, and the purchase of plants and tools. The total expense of both institutions was fixed at 6,000 pesos—3,000 being paid by the public treasury, 1,500 by the communal treasuries of the Indians, and the remaining 1,500 by the funds of ways and means of the Ayuntamiento of Manila. In 1894-95, the staff of the school of agriculture was allowed 23,794 pesos, and the equipment of the same, including the rent of a house for workrooms of the school, Board of Agriculture, Industry, and Trade and office of the agronomic service, 9,900 pesos. The subaltern staff of the botanical garden cost, according to the same budget, 2,600 pesos, and the equipment for the same, 1,000. See Montero y Vidal, *Historia*, iii, pp. 317, 318, and note.

were: the theoretical and practical education of skilled farmers; the education of overseers; the promotion of agricultural development in the Philippines, by means of observation, experiment, and investigation. In order to enter officially into the study of scientific agriculture, it was necessary to be vouched for by a valid certificate, to be of good health, and to have studied and have passed examinations in some institution of secondary education, or other properly accredited institution. It opened with 82 students, but in the following year there were only 50. Agricultural stations were established in Isabela de Luzón, Ilocos, Albay, Cebú, Iloílo, Leyte, Mindanao, and Joló. Those of Joló and Leyte were abolished by royal decrees, dated September 10, 1888, and December 7, 1891, respectively. The course of studies was as follows: First year – elements of agriculture; mathematical problems; practical work in topography; linear and topographical drawing. Second year – special methods of cultivation; elements of stockbreeding; agricultural arts; practical work in cultivation and the industries; setting up and management of machines; drawing applied to machines and to plants. Third year – elements of rural economy; accounts and agricultural legislation; general practical work in cultivation, stockbreeding, and industry; drawing of plans. The education of the overseers was carried on in the agricultural stations, which have been created for the purpose of doing technical work in analyses of earth, systems of irrigation, studies of seed, acclimatization of vegetables and animals, study and treatment of epizootic, epiphysis, etc. The professors in the school were agricultural engineers and their as-

sistants skilled farmers. The expenses were defrayed entirely by the government, but the direction was in the hands of the priests. The university of Santo Tomás, both of itself, and through the Ateneo Municipal, issued certificates to skilled farmers and surveyors, for which it required mathematics, physics, chemistry, natural history, agriculture, topography, and linear and topographical drawing. The government school cannot be said to have been a success, for the Filipinos, while inclined to readily adopt the professions, have never shown any marked inclination for industrial pursuits.

Since American occupancy. By section 19 of act 74 of the Philippine Commission it was provided that there should be established and maintained a school of agriculture in the island of Negros, and by section 24 of the same act, the sum of \$15,000 was appropriated out of any funds in the insular treasury not otherwise appropriated for the organization and maintenance of the school for the year 1901. It was suggested that such a school be established on the government plantation at La Carlota, but it is an inaccessible place, and it was proposed to find a more convenient place. The organization of the school was delayed in order to bring it into connection with the proposed experimental sugar plantation in Negros. By act no. 512, passed November 10, 1902, the work of establishing an agricultural college was transferred from the bureau of public instruction to the bureau of agriculture, and the government farm at La Granja in western Negros was set aside as a site for this school, and for an experiment station to be conducted in connection with it. After a long delay, plans were submitted for a main building to

contain laboratories, class-rooms, offices, and also a dormitory. Twenty-five thousand dollars were appropriated for its construction. Arrangements were made, however, by which certain teachers in the provinces were to be employed to coöperate with the bureau of agriculture in making various experiments and in gathering such information as might be useful in promoting knowledge of the agricultural conditions of the islands. At the same time the law establishing secondary instruction in provincial schools provided for the extension of the curriculum beyond the ordinary course of high-school instruction and instruction in agriculture, which meant that the provincial schools might, on a larger or smaller scale, as the authorities of the province might determine, carry on instruction and experiments in such branches of agriculture as might be supposed to be adapted to the conditions in the province in which any provincial school was established. March 25, 1903, a director of the experiment station was appointed in order that he might take charge of the government property on the estate and begin the work of getting land under cultivation.¹⁰⁷

¹⁰⁷ See also *Report of Philippine Commission*, 1902, ii, p. 499.

GOVERNMENT REORGANIZATION OF EDUCATION IN THE UNIVERSITY OF SANTO TOMAS

CONFERENCE ON THE COLLEGE-UNIVERSITY OF SANTO
TOMÁS OF MANILA, AND THE DECISION RENDERED
BY SEÑORS MONTERO RIOS, GAMAZO, AND MAURA

Conference

1. Whether in view of the writ of foundation of the college-university of Santo Tomás, which is enclosed, the ministry has the right to reorganize education therein, without taking account of the religious corporation of the Dominicans.

2. Whether, in case of a ministerial resolution, contrary to the native autonomy of the said college, the latter may offer opposition by legal means, and what would be the most efficacious method.

Decision

The foundation of the college of Santo Tomás, which seems to have been commenced under the advocacy of our Lady of the Rosary, in Manila, was ordained by a writ of April 28, 1611, before the notary of his Majesty, Juan Yllán, in order to observe the last will of the deceased archbishop, Fray Miguel de Benavides; and to the new institution were ap-

plied besides, the few resources which the latter left, and others also modest, which proceeded from the estates of Pablo Rodriguez de Arango and Anfrés de Hermosa. There were hopes that new liberalities would augment the capital of so useful a work. Its origin is, then, entirely private.

Section 1 of the said foundation spiritualized the properties and their future increases, so that use might be made of them under such concept for the ministry of the college, and the welfare of the souls of the three deceased testators, and of future benefactors. Section 2 entrusted the management to the then or future father provincial of the Order of Preachers of St. Dominic. Section 3 gave the government correction, and instruction of the college to the prior of the convent of that order in Manila. Section 4 allowed the provincial, as patron, to appoint the lecturers who were to give the instruction, and the workmen and helpers necessary for the good administration and for the temporal government, except that if any ecclesiastical or secular person were to endow the college with a large sum, the chapter of the province could give him the patronage, provided that he did not introduce any innovation, contrary to the authority of the father provincial in respect to the provision of lectures, or withdraw the college from the Order and province [of the Preachers], or deprive the prior of the management. Section 5 established that the arts and sciences should always be read and taught in the college by the religious of the province and Order [of the Preachers], and not by any other order, or by seculars. The same was true in regard to the religious pupils, and for the secular collegiates. Section 6 permitted the

admission of bequests, gifts, and other aids weighted with charges of piety, which the convent was to fulfil and observe [*levantaria*]. Section 7 gave to the provincial chapter the power to make new rules and regulations, both in regard to the distribution and administration of the properties, and in what related to the ministry and instruction, and to appoint a rector. Those rules once made were not to be changed without the special authority and order of his Holiness. Section 10 says: "If at any time, any ecclesiastical or secular prince should try by act and right to exercise any power by way of patronage or in any other manner, in order to try to dispose of the properties and incomes of the said college, or to meddle with the administration and government of it, or hinder and disturb its effect in any way and manner whatever, and by means of any judge or powerful person, or by any other person who may do it, from that time and thenceforth, we apply the said properties and estates with which the said college is founded, and all the others which shall be augmented and applied, and which it shall receive in any manner, to the said province and to the religious of the said order, so that the latter may possess and enjoy as its own properties, acquired by just and right title, all of that property with the said houses and college, and their increases and improvements. We consider this foundation [under such circumstances] as null and void, and as if it had never been made. The said order is charged to be careful to say masses and other benefices and suffrages for the souls of the said archbishop and the others with whose alms and properties this foundation is begun, and all of those who, in the future, in any time and manner,

shall leave and apply any other properties to it, so that by this way satisfaction may be given on the part of the said province, for the said alms, to the givers of those alms."

Although the writ of 1611 does not indicate that its signers thought of it, the royal license was inexcusable. According to law i, título iii, book i, of *Recopilación de las leyes de Indias*, it was ordered from the time of Felipe II that permission should be petitioned before the building of a church, convent, or hospice, for the conversion and instruction of the natives, and the preaching of the holy gospel. Law ii of título vi, devoted especially to the royal patronage, ordered that no cathedral or parish church, monastery, hospital, or votive church, should be erected, instituted, founded, or constructed in any other pious or religious place, without the express permit of his Majesty. However, law xliii, of the same título, rules that when any person wishes to found a monastery, hospital, hermitage, church, or other pious and charitable work in Indias, from his own property, the will of the founders shall be observed, and the persons appointed and summoned shall have the patronage. The attributes of the royal patronage which declare that "our permission shall be received beforehand for whatever is needed," shall always be reserved.

Royal permission, beyond any doubt, was obtained, although by an indirect method. For law liii, of título xxii, [book i] (which treats of universities and general and private studies in the Yndias) declares that "by the license of the ordinary and governor of the Filipinas Islands, and the decision of the royal Audiencia of those islands, the religious of the

Order of St. Dominic in the city of Manila, founded a college where grammar, arts, and theology were read, in which they placed two religious of each branch, and twenty secular collegiates. Great gain resulted therefrom," and it is ordered that for the present and so long as his Majesty orders no other thing, "the religious make use of the license which the governor gave them for the foundation." That was not to be understood "to the prejudice of what was ordained in regard to similar foundations, so that they should not be instituted or commenced without express permission" from the king.

With such requirements, respect for the foundation is declared not only by the judicial force of the foundation itself, but also by the above-cited law xliii of título vi; for that respect is equally capable of being required from persons and authorities who are strange to the institution, and from the patrons, administrators, and ministers of the institution itself. The will of such patrons would have no power against the fundamental law whence proceeds their authority. Their end is to preserve and obey that law strictly, and to cause it to be respected by others without any change or violation of it by them. The admissible innovations in the institutions under discussion have the limit and form which were laid down by the foundation. Consequently, therefore, those innovations which might have been made in the patronage, in the administrative management, or in the academical order, provided that they respected that limit and observed the jurisdiction and formality laid down by the writ of 1611, could not be considered as violations, but as faithful applications of the peculiar law of the college.

The first part of the conference admits only the following categorical reply: "In the college-university, the ministry has no right to reorganize the instruction." It has a right, beyond any doubt, to organize the public instruction in Manila, in the manner which it considers most adequate for obtaining the ends of the same. One of the fundamentals which it may adopt could be the elimination [as teachers] of the fathers of the said order. But that will not fall within the college whose foundation we have before us, and the funds and properties of the same cannot be applied totally or partially to the university or college which the government may erect in such manner.

The section of reversion, literally copied above, will have its desired effect fully, in the case under consultation (unless permission is given to reconstitute the private institution in regard to the ruling of the writ of 1611), with entire independence of the academical institutions of the state. The disagreement [*disyuntiva*] would be between this and the reversion of the properties. Therefore, it is sufficient to call to mind the succinct but faithful review which has been made of the cardinal fundamentals of the foundation, in order to have proved that the reorganization of education, which the ministry of the colonies, laying aside all consideration of the community [*i.e.*, of the Dominicans], might order, would wound and destroy in an essential manner, the will of the founders. If that should happen, the province of Santísimo Rosario and the Dominican religious of the province, would not only have the right to recover the properties, and give them the pious application assigned by the section,

but also would not have the power to refrain from it, and consent that such properties remain applied to the needs of the teaching institution reorganized by the government. The patrons of a charitable fund, or any other permanent foundation, can never convert the authority of such contrary to the observance and purity of the institution confided to their care. The acts of the patrons, contrary to the foundation, possess the vice of nullity.

The lawyers undersigned have no exact and minute information of the vicissitudes which the college-university has experienced from 1611 to the present day. Comparing alone the royal decree of October 29, 1875, which reorganized the instruction of the said college with the writ of its primitive foundation, it appears that some rulings of the former are at variance with the latter: for example, article 3, which declares that the orders, plans, programs, and regulations, which emanate from the ministry and in that case from the governor-general, are obligatory for the organization and rule of education; article 6, and the following ones which allowed entrance to secular professors and defined their emoluments and fees; article 11, which reserved to the ministry the power of fixing the fees of matriculation, degrees, titles, and certificates; and article 13, which obliged the rector to render an annual account to the royal vice-patron of the emoluments and expenses of the university, the order supplying the deficit resulting. But we are not consulting as to the greater or less legal stability of the present condition of the institution, or if we were treating of it, it would not be within our province to disavow that in other things of great importance, the

government still respected the fundamentals of the foundation, and that the concessions which were made in 1875 in exchange for obtaining by entreaty the abolition of the decrees of November 6, 1870,¹⁰⁸ appeared practically corroborated by the lasting agreement of the patrons and of those summoned to obtain the properties by virtue of the clause of reversion, although in strict rigor of law the document of the foundation ought to take precedence over any act and any submission of its natural guardians.

For the concrete matter of our opinion, we have only to declare that we do not believe that the former more or less extreme mildness of the patrons in the presence of the interference, which rejected the foundation, weakens the actions of the patronage of the college and of the ecclesiastical province favored by the clause of reversion in order to demand the observance of the foundation, if, perchance, the ministry of the colonies, exercising powers which indubitably belong to it, reorganize the instruction of the university without considering the religious community of the Dominicans. Even in the hypothesis of considering as illegal the tolerances or concessions of former times, the foundation, pure and simple, is the criterion and only norm with which the dispute can be adjusted.

The second point of the conference offers no difficulty in whatever concerns the existence of a legal means for opposing a resolution of a government contrary to the native autonomy of the college. Leaving aside the attributes of the ministry to direct the services of education as it deems most suitable,

¹⁰⁸ See *ante*, pp. 132, 133, also pp. 163-165, note 81.

whenever they are sustained by the public funds, the opposition, if it limit itself to the use of the properties and funds from private origin, which today endow the institution, would have a legal mean beyond any doubt, to demand the strict observance of the law of foundation.

What would this mean be, or which of the two possible means appears more efficacious? Would it be by bringing the complaint before the court of *contencioso-administrativo*¹⁰⁰ or before the ordinary justice?

¹⁰⁰ Concerning this court, the first report of the Philippine Taft Commission, *Historical resumé of the administration of justice in the Philippine Islands*, by Cayetano S. Arellano, chief justice of the supreme court, pp. 228-230, says: "This court—in English, Contentious Court—arose from the establishment of a council of administration in these islands under the provisions of a royal decree of July 4, 1861, which surrounded the governor-general of these islands, who was president of the court, with prominent men who advised him by their votes on consultation. This contentious court consisted of three officials of judiciary, the president and two magistrates appointed by turn among those constituting the personnel of the Audiencia, with the exception of the presidents of the branches and two officials of the administration, who were known as the administrative magistrates; subsequently, by royal decree of the third of June, 1866, the court was reduced to a president and three magistrates. This court took cognizance of suits brought by private persons against the State, whenever they were litigated. Complaints of private individuals against the administration of the State, if not subject to litigation, could, after presentation of appeals to the governor-general of the islands, be taken upon a recourse of complaint to the colonial office in Spain if no relief was obtained under the decision of the governor-general." A decree of February 7, 1869, provided that the "contentious administrative jurisdiction, which was exercised by the councils of administration of the provinces of the colonies should in the future rest in the territorial audiencias of those provinces; that, for the exercise of this jurisdiction, there should be organized in each Audiencia, as is done here, a department composed of the president of the same and the two presidents of the branches, the representative of the State being the attorney-general. The theory upon which the former organization of this contentious adminis-

The law of September 13, 1888, applicable to Filipinas, according to article 4 of its transitory rulings, marks the bound of the jurisdiction of the court of *contencioso-administrativo*. Perhaps the generic notes of article 1 of the said law would be found in a manner suited to the resolution of the ministry. That article would occasion a report [*estado*]. In what concerns the application of the properties and the incomes of the institution, it would emanate from powers subject to rule, and not discretionary, and would wound a preëxisting right of

trative tribunal rested was the administration of the State in respect to its litigation with subjects. The judge-advocate was both judge and litigant at the same time. However, the decree of the seventh of February, 1869, inspired by the principles proclaimed by the revolution, was that these questions should be decided in the same manner as any other issue between private individuals. These suits, as has been seen, were brought in first instance before the Audiencia of the territory; consequently, appeals in second instance lay before the supreme court of justice of Spain. But by the other theory the first instance pertained to the contentious tribunal of the council of administration, and second instance of the council of State of Spain, to which appeals might be taken against decisions of the former court. But this reform, well received, both in Spain and in the colonies, was of short duration, for one of the first acts of the government of the monarchical restoration was the reëstablishment of the contentious court in the same form in which it had existed prior to the reform of the royal decree of the nineteenth of March, 1875." This court lasted until the end of the Spanish régime.

Act 136, enacted by the Philippine Commission June 11, 1901, and in effect since June 16, 1901, provides for the organization of courts in the Philippines. Article 38 of that act reads as follows: "All records, books, papers, causes, actions, proceedings and appeals lodged, deposited, or pending in the existing Audiencia or Supreme Court, or pending by appeal before the Spanish tribunal called '*Contencioso administrativo*,' are transferred to the Supreme Court above provided for, which has the same power and jurisdiction over them as if they had been in the first instance lodged, filed or pending therein, or, in case of appeal, appealed thereto." See *Public Laws and Resolutions* of the U. S. Philippine Commission, for quarter ending August 31, 1901.

a certain administrative character. For, besides the original royal permission and that of the protectorate general in regard to the foundations, the public administration has intervened, intertwining the public service of the instruction of that university with the private foundation. But article 4 of the law excepts the questions of a civil nature, and of the competency of the ordinary jurisdiction, the questions in which the right violated may be of a civil character, and also those which emanate from acts in which the administration has taken part as a legal person, or as one subject to rights and obligations. Of a character essentially civil would be the right violated by the hypothetical ministerial decision of which we are treating, reducing to accidental mixtures the ancient connections of the college founded by private persons, with the administration, which was advantageous to the opportunities which the college offered for the service of education. In strict terms one might add that the government, although it would perform judicial acts as a public power, in determining the future system of education, in exchange ought to be considered as a legal person, in so far as it should attempt to obtain by entreaty from the patrons of the college, the aid of the properties and incomes of the legal person incarnate in them. But the notoriously civil character of the laws which are involved in the observance of the foundation of 1611 are sufficient so that we might consider as definitive that the courts of justice would be those summoned to impose on the government respect for the will of the institutors, the owners of the properties with which the college is endowed.

But not because we do so understand it (as without vacillation we do understand it), can we advise that the *contencioso-administrativo* demand be left out of the claim. Action must be begun in its proper time and manner before the special court, with the intention that on that court rejecting the demand, as outside its peculiar jurisdiction, it would leave out of all doubt the jurisdiction of the common court. In this manner, it is probable that the attempt would be made to take advantage of the ambiguity, and maintain that the result of the deliberation had been consented to because of the lack of the other appeal, confusing with episodical and accidental discussions the controversy over the substantial and fundamental matter. The preliminary attempt of *contencioso-administrativo* appeal causes no disgrace to civil actions which have a longer life.

In conclusion then, the undersigned believe:

1. That, although the ministry of the colonies can alter at its discretion the system of public education in Manila, it has no right to apply the funds and properties of a private origin, today assigned to the college-university of Santo Tomás, to the establishment which it organizes, without considering the religious corporation of the Dominicans, or by infringing in any other manner on the foundation of the said college. Consequently, it cannot make any similar reorganization in that college.

2. That, if a ministerial decision shall be dictated contrary to the sacred and inviolable law of the foundation of the college, the most efficacious legal means to oppose the violation of the same and obtain its observance by entreaty would be to bring an ordinary civil suit before the courts of common

law, but in order to free the road of the difficulties of this suit it would be advisable to try previously the *contencioso-administrativo* appeal, in the time and manner assigned by the law of September 13, 1888.

This is our opinion, but we will give place to any other that is better founded.

Madrid, October 29, 1890.

DOCTOR E. MONTERO RIOS
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